

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Georgia Power Company: Vogtle Electric
Generating Plant, Unit 1 and Unit 2

Docket Number: 50-424-OLA-3; 50-425-OLA-3
ASLBP No.: 93-671-01-OLA-3

Location: Rockville, Maryland

Date: Friday, October 6, 1995

Work Order No.: NRC-348

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

HEARING

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In the matter of: : 50-424-OLA-3
GEORGIA POWER COMPANY, et al. : 50-425-OLA-3
: Re: License Amendment
(Vogtle Electric Generating : (transfer to
Plant, Unit 1 and Unit 2 : Southern Nuclear
: ASLBP No. 93-671-01-OLA-3

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Friday, October 6, 1995
Hearing Room T 3B45
Two White Flint North
11545 Rockville Pike
Rockville, Maryland

The above-entitled matter came on for hearing,
pursuant to notice, at 10:00 a.m.

BEFORE:

PETER B. BLOCH Chairman
JAMES H. CARPENTER Administrative Judge
THOMAS D. MURPHY Administrative Judge

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P R O C E E D I N G S

(10:03 a.m.)

1
2
3 CHAIRMAN BLOCH: The hearing will come to
4 order. Mr. Kohn?

5 MR. MICHAEL KOHN: Good morning, Your Honor,
6 when Mary Jane, who is here somewhere, when she shows up
7 we will distribute the various motions that we have filed.

8 I guess the other issues that remain are the
9 exhibits. I haven't had any feedback or opportunity for
10 feedback from any of the parties with respect to the
11 outstanding exhibits that intervenor is seeking to
12 resolve.

13 I would suggest that it might be helpful for
14 the parties to have an opportunity to discuss exhibits a
15 bit.

16 MR. BLAKE: Some explanation for why there is
17 no feedback. The telecopy list came to Mr. Lamberski at
18 the hotel last night at 9:30.

19 I don't know when the NRC staff got theirs.
20 We did suggest Mr. Kohn if he wanted to come early today,
21 we would meet him here early and talk about them, but we
22 never heard again.

23 CHAIRMAN BLOCH: It would have made sense,
24 with a 10:00 start that you would start at 9:00 to talk
25 about the exhibits.

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1 MR. MICHAEL KOHN: We wanted to, Your Honor,
2 as it turns out I did not receive the voice mail that you
3 left.

4 I did finally listen to it, and it was there,
5 Your Honor, but normally the --

6 CHAIRMAN BLOCH: Did I leave a message about
7 that? I don't remember that I left one?

8 MR. MICHAEL KOHN: Yes. I think so. The
9 normal practice is that the secretary listens to all of
10 the messages and leaves them in my box and for whatever
11 reason that did not happen.

12 So I didn't learn that the meeting --

13 MR. MICHAEL KOHN: The message I left was
14 about a filing next Friday.

15 MR. BLAKE: Actually, the message that he is
16 talking about that you left changed the time from 3:00 to
17 10:00.

18 MR. MICHAEL KOHN: Right, and I was expecting,
19 and I called Mr. Lamberski, saying, "Let's get here early
20 tomorrow (which would be today) and work."

21 I was still under the assumption that it was
22 beginning at 2:00.

23 So I apologize for not being up to date on the
24 time, but I anticipated spending all morning today with
25 the parties going over that, and it is just an oversight,

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1 and I apologize.

2 CHAIRMAN BLOCH: All right. So --

3 MS. YOUNG: Staff didn't get the list until it
4 was faxed them at 8:35 this morning. So we still haven't
5 gone over it.

6 CHAIRMAN BLOCH: Has the list been looked at
7 by the other parties?

8 MR. BLAKE: Yes.

9 MR. MICHAEL KOHN: There are two lists. There
10 is one list that has been around for quite some time, and
11 we have to go over that list.

12 Then there is a supplemental list of
13 additional exhibits that has to be resolved.

14 CHAIRMAN BLOCH: I would just like a judgment
15 from the other parties about whether the supplemental list
16 provides hope that further discussion among the parties
17 might resolve some of it.

18 MS. YOUNG: I am not sure you heard me. The
19 staff has not finished going over intervenor's list. We
20 just had it faxed to us this morning.

21 CHAIRMAN BLOCH: All right, and so, what would
22 the staff propose that we do at this point?

23 MS. YOUNG: Well, if we break for 20 minutes,
24 I think it would be profitable for the parties to talk to
25 each other before the Board gets involved.

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1 CHAIRMAN BLOCH: Okay. We will come back at
2 10:30 to see what the progress has been. We are in recess
3 until then.

4 (Whereupon, the proceedings were recessed at
5 10:07 a.m., to reconvene at 10:30 a.m.)
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1 A F T E R N O O N S E S S I O N

2 (1:30 p.m.)

3 CHAIRMAN BLOCH: Good afternoon. The hearing
4 will come to order, I hope. Mr. Kohn?5 MR. MICHAEL KOHN: Your Honor, intervenor has
6 prepared a document entitled, "Intervenor's Second List of
7 Exhibits to be Admitted." It sets forth the exhibit
8 numbers and a description of the exhibits with the
9 exception of one document Georgia Power has asked us to
10 delete from this list, we will print out a new version,
11 but we will request that the exhibits identified herein be
12 marked and received into evidence, and we request that
13 this be done by binding this document into the record.14 CHAIRMAN BLOCH: Is there a response from the
15 other parties?16 MS. YOUNG: We are still checking the accuracy
17 of the documents.18 CHAIRMAN BLOCH: All right. How much time do
19 we need to check the accuracy of the documents?

20 MR. LAMBERSKI: Ten minutes, Your Honor.

21 CHAIRMAN BLOCH: Okay. Ten minute recess.

22 (Whereupon, a 10 minute recess was taken.)

23 CHAIRMAN BLOCH: Hearing will once again come
24 to order. Judge Murphy is about to arrive. If it is just
25 a matter of introducing the document, why don't you go

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1 ahead with that, Mr. Kohn?

2 MR. MICHAEL KOHN: Your Honor, at this point
3 intervenor -- I believe all of the parties -- request that
4 a three page document entitled, "Intervenor's Second List
5 of Exhibits to be Admitted," be bound into the record, and
6 that the exhibits identified herein be considered marked
7 and received into evidence.

8 I note for the record that on page 3 of this
9 exhibit the top exhibit, listed as II-132A, there is a
10 hand written correction to II-232A, and I also note that
11 two staff exhibits are listed at the very end.

12 Staff exhibits II-35A and II-16A. They are
13 not intervenor exhibits. They are staff exhibits of
14 versions of tapes, tape transcripts, previously introduced
15 by intervenor.

16 CHAIRMAN BLOCH: Is there any opposition?

17 MR. LAMBERSKI: Your Honor, Georgia Power
18 doesn't have any opposition. I have one note on a
19 particular exhibit that I would like the Board to be aware
20 of.

21 It is on page two. It is exhibit number II-
22 217. It concerns selected pages from Georgia Power's INC
23 outage log.

24 You may remember that the Board had requested
25 some additional pages be provided. In fact, there were

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Peter B. Bloch, Chair
Dr. James H. Carpenter
Thomas D. Murphy

In the Matter of)	Docket Nos. 50-424-OLA-3
)	50-425-OLA-3
GEORGIA POWER COMPANY)	
<u>et al.</u>)	Re: License Amendment
(Vogtle Electric Generating)	transfer to Southern Nuclear)
Plant, Unit 1 and Unit 2))	ASLBP No. 93-671-01-OLA-3

INTERVENOR'S SECOND LIST OF EXHIBITS TO BE ADMITTED

<u>INTERV. EXHIBIT NO.</u>	<u>DESCRIPTION</u>
II-4	Transcript Tape 99 tr. 48-51
II-4A	GPC/NRC VER. Transcript Tape 99
II-8	Transcript Tape 8
II-8A	Transcript Tape 8 (Joint Exhibit)
II-9	Transcript Tape 10
II-9A	GPC/NRC VER. Transcript Tape 10
II-11* ¹	ISA Standard ISA-S7
II-14	NUREG-1410 pictures of control air tubing pp3-49 & J-33
II-21	Transcript of Tape 32
II-21A	Transcript of Tape 32(Joint exhibit)
II-22	Transcript of Tape 89

¹ "*" indicates the use of the exhibit is limited to the extent discussed on the record.

II-23	Transcript of Tape 29
II-23A	GPC/NRC VER. Transcript of Tape 29
II-24	April 9 letter
II-51	Transcript of Tape 7
II-51A	Transcript of Tape 7 (Joint Exhibit)
II-70*	Handwritten notes of Jim Bailey for 4-9-90 presentation
II-81*	Outage Turnover Log 3-15 to 4-6-90
II-84	Transcript of Tape 24
II-90	Transcript of Tape 27
II-94	Transcript of Tape 32
II-94A	NRC ver. Transcript of Tape 32
II-94B	GPC ver. Transcript of Tape 32
II-118A	Transcript of Tape 24
II-153*	Page 12-136 of CRC Handbook of Chemistry
II-170A	Staff ver. Transcript of Tape 207, side A
II-196*	MWO 19001576, 3/30/90
II-215*	Alnor Calibrations Records
II-216*	Johnston Memo 5-11-90
II-217*	I & C log 4/5-8/90
II-222*	Cooper Outage Logbook
II-223*	Johnston's Outage notes
II-225*	Correspondence on 7-90 start air valve problem
II-227*	Correspondence on pneumatic control comp testing

II-132A

Staff Ver. Transcript of Tape 3

II-237A

Staff Ver. Transcript of Tape 218

Also to be admitted are the following:

Staff II-35A

Staff Ver. Transcript of Tape 157

Staff II-16A

Staff Ver. Transcript of Tape 160

1 two iterations of that.

2 The first one, several pages were marked as
3 217A, and the admitted, and then the Board asked for
4 additional, possibly relevant pages, and I went back to
5 review the log and then came to the Board with a number of
6 additional pages.

7 Unfortunately, I have been unable to locate
8 those pages for today to show to the parties and the
9 Board. I simply request or note for the Board, that if
10 the Board is interested in also having those pages into
11 the record, then Georgia Power feels that that is
12 appropriate.

13 CHAIRMAN BLOCH: I believe the procedure I
14 anticipated on that is that that would be made available
15 to the other parties and we wouldn't put it in the record,
16 but the other parties would have an opportunity to examine
17 them and decide if other parts should be in the record.

18 Is that consistent with your memory?

19 MR. LAMBERSKI: It is not inconsistent, Your
20 Honor. I don't have a specific memory of your ruling on
21 this. I don't even think these pages were marked for the
22 record at all, but they were distributed to the other
23 parties at the time that we provided them to the Board.

24 CHAIRMAN BLOCH: All right. So the other
25 parties already have these documents?

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1 MR. LAMBERSKI: Yes.

2 CHAIRMAN BLOCH: And they are not moving for
3 additional portions to be in evidence. Is that correct?

4 MR. LAMBERSKI: That is correct.

5 MS. YOUNG: Yes. We have them, but we are not
6 sure where they are, also. Just as Georgia Power was not
7 able to locate them, we hadn't addressed this issue before
8 this morning.

9 CHAIRMAN BLOCH: So I understand if the
10 parties find this document there may be a motion limited
11 to some additional pages of the document.

12 Is that what I am understanding? Is that
13 correct?

14 MS. YOUNG: If that were to occur it wouldn't
15 effect the finding schedule that the Board has
16 established.

17 CHAIRMAN BLOCH: No. That is fine.

18 MR. LAMBERSKI: We were prepared to leave it
19 to the Board whether the Board felt those pages were
20 important to move in on their own.

21 CHAIRMAN BLOCH: The described exhibit shall
22 be bound into the record --

23 MR. MICHAEL KOHN: The described document. It
24 is not an exhibit, Your Honor.

25 CHAIRMAN BLOCH: Right. The described

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1 document, three page document, intervenor's second list of
2 exhibits to be admitted, is bound into the record at this
3 point, and each of the listed documents are marked and
4 admitted into evidence. Is there further discussion
5 today?

6 MR. MICHAEL KOHN: Your Honor, the parties can
7 identify some documents that there is no agreement. I
8 propose that arguments on those take place on Wednesday.

9 There is a limited number of about eight
10 exhibits in that category. At that time, hopefully, with
11 some further review of the arguments raised by Georgia
12 Power, maybe intervenor can decide whether they agree with
13 Georgia Power's arguments that might limit the scope.

14 CHAIRMAN BLOCH: So you are planning on Monday
15 to fax your further response to the comments of Georgia
16 Power. Is that right?

17 MR. MICHAEL KOHN: Yes, Your Honor.

18 CHAIRMAN BLOCH: All right, and that is a
19 government holiday. So we will look at it first thing
20 Tuesday.

21 That also means that there is no problem with
22 you doing it late Monday.

23 MR. MICHAEL KOHN: Your Honor, intervenor
24 would like to make the licensing Board aware of a
25 commitment the parties have reached with respect to all of

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1 the exhibits, that they will endeavor to produce a listing
2 which all three parties will agree accurately reflects the
3 exhibits introduced into the record, and intervenor has
4 committed to taking comments from NRC staff and Georgia
5 Power into producing that document, and filing it with the
6 Board on Wednesday.

7 CHAIRMAN BLOCH: Is anyone going to compare
8 that listing to the documents actually held by SECE? It
9 could be a list of all of the documents submitted, but
10 they may not be physically identified with the record if
11 we are not careful.

12 MS. YOUNG: It will be my hope that that list
13 will indicate whether any exhibits were previously
14 submitted and withdrawn or not discussed later on the
15 record.

16 So it wouldn't just be documents that were
17 admitted. It would also be documents that were rejected,
18 documents that were withdrawn, exhibit numbers that were
19 reserved but whether we can get to SECE's copy by
20 Wednesday, I can't promise you.

21 CHAIRMAN BLOCH: Okay. At some point we are
22 going to have to compare the list of marked and admitted
23 documents to the documents that are being maintained by
24 the Office of the Secretary of the NRC.

25 MS. YOUNG: Many of our discussions today did

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1 try to take into account that they were the set that was
2 initially provided at the outset of the proceeding in
3 April, and that they were later versions of tape
4 transcripts, most often, of documents.

5 Sometimes they were additional pages provided
6 that was done after the copy was sent over to SECE. So
7 hopefully we will keep track of all that too.

8 Many times supplemental pages were admitted as
9 an "A" exhibit for the same numbers, the initial
10 intervenor exhibit.

11 Other times we just physically appended them
12 in the record together. So hopefully the listing that we
13 prepare will indicate both the way the document came in,
14 and how it was physically composed of when it was admitted
15 by the Board, or rejected.

16 CHAIRMAN BLOCH: Okay. We will look for a
17 clerical way of making sure that the record is consistent
18 with the document agreed to by the parties.

19 MR. MICHAEL KOHN: Your Honor, I also would
20 like to note with respect to the document that was bound
21 into the record, you will note that on some of the
22 exhibits there is a -- for instance, if you look at
23 exhibit II-8, and then II-8A, you will see that II-8A
24 indicates it is a joint exhibit.

25 The reason II-8 remains in the record is

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1 because it was initially identified in Mr. Mosbaugh's pre-
2 file testimony. So for continuity we kept the original
3 one in, but the actual exhibit that all the parties agree
4 to would be II-8A.

5 There are about three or four examples of that
6 in this document.

7 CHAIRMAN BLOCH: So, if what you are telling
8 me is correct, only one of those documents should be in
9 evidence?

10 MR. MICHAEL KOHN: Both would be in evidence.
11 The one that is not a joint exhibit is in evidence to the
12 extent it was referenced to Mr. Mosbaugh's testimony and -
13 -

14 CHAIRMAN BLOCH: That could be considered
15 marked and not in evidence. Right? That is the way I am
16 thinking of it.

17 If we shouldn't be looking to it for our
18 findings, then it could be marked to explain the
19 testimony, but it is not in evidence.

20 MS. YOUNG: It basically could be treated
21 either way, because just because a document is evidence
22 doesn't necessarily mean that a party may rely on it for
23 findings.

24 MR. MICHAEL KOHN: It is my understanding that
25 the parties will not be relying on any of the exhibits

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1 when a joint exhibit exists, other than the joint exhibit.

2 MS. YOUNG: For example --

3 CHAIRMAN BLOCH: All right. We will just keep
4 that in mind. We will know that if there is a joint
5 exhibit, it is the authority, and the other documents are
6 not.

7 MS. YOUNG: It is the preferred version. For
8 example we had --

9 CHAIRMAN BLOCH: Although there are instances
10 of joint documents which are not completely joint. Isn't
11 that correct?

12 MS. YOUNG: That is correct. That is correct.
13 We have the April 9th letter, for example, which more than
14 one party identified as an exhibit for their case at the
15 outset of the proceedings.

16 So there are two or three exhibits that are
17 the April 9th letter or the August 30th letter. There are
18 duplication throughout.

19 So just so an exhibit is admitted doesn't
20 necessarily mean that that exhibit is going to be relied
21 on at findings.

22 CHAIRMAN BLOCH: I take it that where there is
23 duplication they are not different.

24 MS. YOUNG: Hopefully.

25 MR. MICHAEL KOHN: With respect to the

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1 documents, the transcripts, identified as joint exhibits
2 here, they do reflect the three party agreement on the
3 list you have before you today.

4 MS. YOUNG: Or disagreements where a different
5 wording is -- the proponent of that different wording is
6 identified in the transcript.

7 For example, GPC exhibit 1 and 2, which had
8 disputed wording indicated on the document.

9 MR. LAMBERSKI: Your Honor, in response to
10 your earlier question, I think what Michael was trying to
11 say was that joint exhibits on these tape transcripts
12 refer to those where all three parties have agreed.

13 There are some cases where two parties,
14 generally the staff and Georgia Power have agreed on tape
15 transcript, but I think in every case we have identified
16 that. It is a Georgia Power NRC version on the face of
17 the document.

18 CHAIRMAN BLOCH: And then it won't say
19 "joint."

20 MR. HULL: Right.

21 MS. YOUNG: Right.

22 CHAIRMAN BLOCH: Good. I would like to note
23 for the record that the Board has compiled the cross
24 examination plans that were presented to us during the
25 hearing.

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1 They are chronological except with respect to
2 some of the plans in which there was no date, and those
3 are alphabetical by witness.

4 I don't think there is any reason to put them
5 into the record, but they are available to the parties at
6 the bench at the close of the hearing today.

7 Is there further business to complete now?

8 MR. HULL: Your Honor, with respect to what
9 the staff would like to have marked as GPC exhibit II-
10 181A, it is the staff's version of GPC exhibit II-181. It
11 is a transcript of tape 34.

12 The GPC exhibit II-181 was previously
13 admitted. This would be staff's version, and we move its
14 submission at this time.

15 CHAIRMAN BLOCH: It may be marked and
16 admitted. Do you have to describe it, I think?

17 (Whereupon, the document was marked
18 for identification as Georgia Power
19 Company's Exhibit No. II-181, and
20 received in evidence.)

21 MR. HULL: It is an eight page document, Your
22 Honor. It is headed: tape 34, beginning of side B, April
23 4, 1990.

24 MR. MICHAEL KOHN: Your Honor, with respect to
25 the tapes, is it actually that the tapes are in evidence

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1 as well as the transcripts.

2 That is something that we really haven't come
3 to terms with, but I think that ultimately the tapes may
4 have to be in evidence along with the transcripts,
5 particularly when there are disputed versions.

6 CHAIRMAN BLOCH: The Board's view is first
7 that we do not have the tapes. So they cannot be a part
8 of the formal record right now, with the exception of one
9 tape. We do have one tape.

10 MS. YOUNG: Fifty-eight.

11 CHAIRMAN BLOCH: Which is tape 58, and the
12 enhanced version of that tape as well, and that therefore,
13 is identified with the transcript.

14 My understanding is that we can freely ask for
15 a tape if we find it essential to the findings of the
16 Board, but otherwise we will rely on the documents
17 submitted by the parties.

18 In any instance where there is a joint
19 exhibit, there will be no controversy calling for us to go
20 to a tape.

21 It is only where there are disagreements that
22 we consider essential that we would consider, and we will
23 let the parties know which tapes we are going to listen to
24 if that happens.

25 MS. YOUNG: And the Board may recall that

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1 there were tape excerpts played throughout the proceeding.

2 They were few in number, but I think they were
3 those tapes that the parties felt more strongly about in
4 terms of the speaking voices.

5 CHAIRMAN BLOCH: That is true. I guess that
6 means that somehow we have to hold those in availability
7 in case a reviewing body would want to look at them.

8 Any other matters for us to complete today?

9 MR. HULL: Your Honor, on September 28 I had
10 moved into evidence intervenor exhibit II-19A, which at
11 the time I thought was an alternate version of intervenor
12 II-19.

13 I subsequently discovered that those two
14 documents are, in fact, identical. So that intervenor II-
15 19A should not be part of the tape notebook, for instance,
16 since it is the duplicate of a previously admitted
17 exhibit.

18 CHAIRMAN BLOCH: Based on the representation
19 that II-19A is identical to II-19, it may be considered
20 struck from the record.

21 MR. HULL: And regarding the tape notebook,
22 the update of it, Your Honor. I do plan now to revise the
23 table of contents that I had previously submitted in
24 August.

25 So I will get that to the Board next week

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1 along with copies of the new tapes that have been added
2 since that first notebook was created.

3 CHAIRMAN BLOCH: Okay. Would it be
4 mechanically better for us to give you the notebooks and
5 then get them back?

6 MR. HULL: You could do it that way. Sure.
7 With respect to tapes, I think the only open item now
8 regards intervenor exhibit II-247, but other than that one
9 item I think the tape transcripts are finalized.

10 MR. MICHAEL KOHN: With respect to
11 intervenor's 247, it has now been brought to intervenor's
12 attention that the GPC/NRC version of intervenor's II-4,
13 which was been identified and received as II-4A includes
14 portions of intervenor's II-247.

15 How the record now stands is you have
16 intervenor's II-4, GPC versions II-4A, and intervenor's
17 247, all of which are essentially the same conversation,
18 but disjointed because they are not set out, necessarily,
19 in a complete sequence, and I believe it might be of
20 better service to the Board if a version of that
21 transcript, commencing with the beginning of the version
22 of whoever's version starts first, and going forward to
23 the end of where the last version begins, would be most
24 beneficial, because right now you have it piecemeal, where
25 you have to look through three separate transcripts to get

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1 to an end point.

2 CHAIRMAN BLOCH: So are you suggesting
3 combining two of your exhibits into one exhibit?

4 MR. MICHAEL KOHN: I am suggesting that
5 intervenor submit a version of tape 99 -- well, I would
6 suggest that all three parties submit a version of tape
7 99, side B, which includes all of the portion that the
8 parties want in from that side on one separate exhibit,
9 rather than right now I think it would be very difficult
10 for the Board to try to bounce back and forth from three
11 separate exhibits.

12 CHAIRMAN BLOCH: Why don't you just combine
13 the two exhibits that you think all relate to the same
14 side of the tape, what are they?

15 MR. MICHAEL KOHN: Intervenor's II-4 and II-
16 247.

17 CHAIRMAN BLOCH: I suggest that what you do is
18 take 247 and add it at the end of II-4 and then we strike
19 -- is that the right order?

20 MR. MICHAEL KOHN: That is the right order.
21 The difficulty is Georgia Power and NRC have a II-4A,
22 which includes portions that are not part of intervenor's
23 II-4 or 247.

24 So what I am suggesting is a composite exhibit
25 should be prepared that covers the entire.

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1 CHAIRMAN BLOCH: You want to be able to have a
2 composite exhibit that shows your version of the same
3 tape?

4 MR. MICHAEL KOHN: Yes, Your Honor.

5 CHAIRMAN BLOCH: That covers all of the
6 materials covered by staff and licensee in II-4A.

7 ADMINISTRATIVE JUDGE MURPHY: Are you adding
8 material between the first segment and the last segment?

9 MR. HULL: What, in effect, happens is that if
10 you just took intervenor II-247 and intervenor II-4, those
11 would be two separate segments of the tape, but when you
12 take intervenor II-4A, which was the GPC/NRC version, that
13 links those two segments.

14 So there is additional material in 4A.

15 ADMINISTRATIVE JUDGE MURPHY: So if we had 4A
16 and 247 we would have a contiguous --

17 MS. YOUNG: Yes, and some overlap.

18 ADMINISTRATIVE JUDGE MURPHY: -- transcript of
19 the tape?

20 MR. MICHAEL KOHN: Yes. Between the three
21 that would be the case. You have overlap, and I am not
22 sure if the voice identification is the same on all of
23 them or not. I am just pointing out --

24 CHAIRMAN BLOCH: Are you asking to be able to
25 supplement II-4 and II-247 with some additional views of

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1 the intervenor?

2 MR. MICHAEL KOHN: Yes. A composite that
3 would hopefully incorporate all of Georgia Power's and
4 NRC's differences. So there can be one composite tape
5 prepared.

6 CHAIRMAN BLOCH: And when do you propose
7 having that finished?

8 ADMINISTRATIVE JUDGE MURPHY: I am not sure I
9 understand the need for it.

10 MR. LAMBERSKI: This seems to be a purely
11 mechanical exercise, Your Honor.

12 CHAIRMAN BLOCH: I understand that it is not
13 entirely mechanical because he still hasn't done some of
14 the transcribing that he wants to do.

15 MR. LAMBERSKI: That is not my understanding.

16 ADMINISTRATIVE JUDGE MURPHY: That is not what
17 I just heard.

18 MS. YOUNG: 247 is an exhibit of intervenor's
19 that was rejected. There is a pending motion trying to
20 get 247 admitted.

21 MR. MICHAEL KOHN: And it turns out now that
22 247 is also part of Georgia Power/NRC's version of II-4A.

23 CHAIRMAN BLOCH: All right. So just describe
24 II-247 and we will order that it be included in exhibit
25 II-4.

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1 MR. LAMBERSKI: Subject to granting the
2 motion, Your Honor.

3 CHAIRMAN BLOCH: Subject to what?

4 MR. LAMBERSKI: Granting intervenor's motion
5 on exhibit II-247.

6 MR. HULL: You previously rejected that
7 exhibit, Your Honor.

8 CHAIRMAN BLOCH: Is he correct, that it is
9 just his version of II-4A. Is that correct or not?

10 MR. LAMBERSKI: That's not the way I
11 understand it, Your Honor.

12 CHAIRMAN BLOCH: It's a different segment.
13 Okay. No.

14 MR. MICHAEL KOHN: It's -- Your Honor --

15 MS. YOUNG: Can we go off the record so we can
16 show you the documents? It is much easier if you see
17 them.

18 CHAIRMAN BLOCH: Off the record, let's go off
19 the record.

20 (Whereupon, the proceedings were taken off the
21 record at 2:27 p.m., and came back on the record at 2:29
22 p.m.)

23 CHAIRMAN BLOCH: The parties are going to
24 identify for us the exhibits in which they believe there
25 probably is a dispute.

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1 MR. MICHAEL KOHN: It would be intervenor's
2 II-97, II-108, II-111, II-114, II-172, II-178, II-213A,
3 II-238.

4 CHAIRMAN BLOCH: Is there any agreement as to
5 whether these are grouped in any way?

6 Are they all individual questions or are they
7 all grouped together?

8 MR. MICHAEL KOHN: There is also to be added
9 II-189.

10 CHAIRMAN BLOCH: All right. So now we have a
11 list of the documents. Are all of the objections of the
12 same kind or are there different kinds?

13 MR. MICHAEL KOHN: The objections are
14 differing.

15 ADMINISTRATIVE JUDGE CARPENTER: Are these
16 transcripts of tapes?

17 MR. MICHAEL KOHN: No. A lot of them are
18 exhibits. I think very few are tapes. Maybe one or two.

19 MR. LAMBERSKI: I think there is only one tape
20 transcript.

21 CHAIRMAN BLOCH: While we were off the record
22 we agreed that there would be another procedural
23 conference at 2:00 p.m. next Wednesday, on the record.

24 We would like the reporting firm to be
25 present, and if the parties need to be before then, they will

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1 have further negotiations prior to that 2:00 p.m.
2 conference.

3 We will check on the availability of the court
4 room before we leave. Any other matters for the record
5 today.

6 MR. BLAKE: Is the finding schedule now
7 established, Judge Bloch, for all parties?

8 CHAIRMAN BLOCH: The finding schedule was
9 established on the record and it has not been changed.

10 MR. BLAKE: Thank you.

11 ADMINISTRATIVE JUDGE MURPHY: Mr. Hull, this
12 document that you just handed us, is this intervenor
13 exhibit II-4A?

14 MR. HULL: Yes, Your Honor. That is the
15 staff/GPC alternate version of intervenor's 4.

16 CHAIRMAN BLOCH: Off the record.

17 (Whereupon, the proceedings were momentarily
18 taken off the record.)

19 CHAIRMAN BLOCH: After consulting the
20 availability of this hearing room the Board has decided
21 that the 2:00 p.m. meeting will be elsewhere at the NRC,
22 and we will notify the parties of the room we have found
23 for that purpose.

24 Mr. Blake, I think you have a statement for
25 the record about Georgia Power's response to the pending

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1 motions?

2 MR. BLAKE: Right. We received today, I think
3 intervenor distributed as well to the staff and to the
4 Board, copies of five motions.

5 It is our intention to respond to all of these
6 by the end of the day next Thursday. If we can do better
7 we will, as we complete them.

8 We won't wait and pull them all out in one
9 bunch as we receive them, and if it takes anything longer
10 than that, I will alert the Board by Wednesday at the
11 conference.

12 CHAIRMAN BLOCH: My understanding is that
13 there are no further matters for this afternoon. If the
14 parties think otherwise, I would appreciate knowing.

15 There being no response, I would like to thank
16 the parties for their participation.

17 The hearing is adjourned until Wednesday at
18 2:00 p.m. at a place to be announced to the parties.

19 (Whereupon, the proceedings were adjourned.)
20
21
22
23
24

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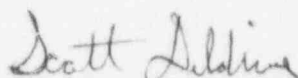
This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: GEORGIA POWER CO. ET AL.

Docket Number: 50-424/425-OLA-3

Place of Proceeding: TELEPONIC CONFERENCE CALL

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.



SCOTT DILDINE
Official Reporter
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