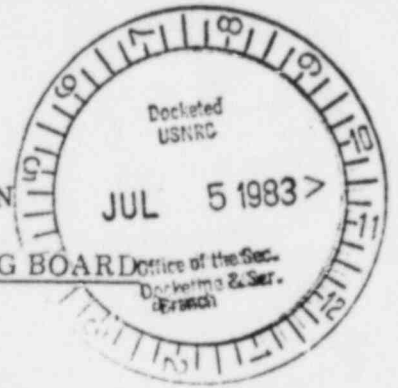


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)

CAROLINA POWER & LIGHT COMPANY)
AND NORTH CAROLINA EASTERN MUNICIPAL)
POWER AGENCY)

(Shearon Harris Nuclear Power Plant,)
Units 1 & 2))

Docket Nos. 50-400 OL
50-401 OL

APPLICANTS' INTERROGATORIES AND REQUEST FOR PRODUCTION OF
DOCUMENTS TO INTERVENOR RICHARD D. WILSON (FOURTH SET)

Pursuant to 10 C.F.R. §§ 2.740b and 2.741 and to the Atomic Safety and Licensing Board's "Memorandum and Order (Reflecting Decisions Made Following Prehearing Conference)" of September 22, 1982, Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that Intervenor Richard D. Wilson answer separately and fully in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the response to interrogatories below.

Under the Commission's Rules of Practice, answers or objections to these interrogatories must be served within 14 days after service of the interrogatories; responses or objections to the request for production of documents must be served within 30 days after service of the request.

These interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. §2.740(e), should you or any individual acting on your behalf obtain any new or differing information responsive to these interrogatories. The request for production of

documents is also continuing in nature and you must produce immediately any additional documents you or any individual acting on your behalf, obtain which are responsive to the request, in accordance with the provisions of 10 C.F.R. § 2.740(e).

Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum, transcript, report, handwritten notes, test data) and provide the following information as applicable: Document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also state the portion or portions of the document (whether section(s), chapter(s), or page(s)) upon which you rely.

Definitions. As used hereinafter, the following definitions shall apply:

The "ER" is the Environmental Report - Operating License Stage for the Shearon Harris Nuclear Power Plant, as amended.

The "FSAR" is the Final Safety Analysis Report for the Shearon Harris Nuclear Power Plant, as amended.

"Applicants" is intended to encompass Carolina Power & Light Company, North Carolina Eastern Municipal Power Agency and their contractors for the Harris Plant.

"Document(s)" means all writings and records of every type in the possession, control or custody of Richard D. Wilson or any individual acting on his behalf, including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings and all other writings or recordings of any kind; "document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody, or control of Richard D. Wilson; a document shall be deemed to be within the "control" of Richard D. Wilson or any individual acting on his behalf if he has ownership, possession or custody of the document or copy thereof, or has

the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

GENERAL INTERROGATORIES

4-1(a). State the name, present or last known address, and present or last known employer of each person, other than affiant, who provided information to you upon which you relied in answering each interrogatory herein, or who otherwise assisted you in answering each interrogatory herein.

(b). Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

4-2(a). Identify all documents in your possession, custody or control, including all relevant page citations, upon which you relied in answering each interrogatory herein.

(b). Identify the specific interrogatory response(s) to which each such document relates.

4-3(a). Identify any other source of information, not previously identified in response to Interrogatories 1 or 2, which was used in answering the interrogatories set forth herein.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

4-4(a). Are the answers you gave in response to Interrogatories 3(a), (b) and (c); 4(a), (b) and (c); 5(a), (b) and (c); 6(a) and (b); and 7(a) and (b) set forth in Applicants'

Interrogatories and Request for Production of Documents to Intervenor Richard D. Wilson (First Set) still accurate and complete in all respects as of the date of your responses to this second set of interrogatories?

(b). If your response to Interrogatory 4-4(a) is negative, please amend such answers by identifying all facts which will render them accurate and complete as of the date of your response to this second set of interrogatories.

INTERROGATORIES ON CONTENTION I(a)

I(a)(4th)-1(a). In the "Clarification and Supplementation of Richard Wilson 3 March 1983 Responses to Applicants 31 January 1983 Interrogatories and Request for Production of Documents" dated May 13, 1983 (hereinafter referred to as "Clarification and Supplementation"), you stated in response to Interrogatories 1(a)-1(c), 1(a)-2(c), 1(a)-3(c) and 1(a) - 4(c): "Further analysis will follow receipt of Applicants responses to interrogatories." Have you performed any analyses relating to Contention I(a) since having received Applicants responses to your interrogatories?

(b). If the answer to (a) is affirmative, please describe in detail the nature of such analyses and any conclusions you arrived at based upon such analyses.

I(a)(4th)-2(a). Are you aware of any experience at any operating nuclear power plant in the United States of dispersal of chlorine into the atmosphere resulting in an adverse impact upon the biosphere surrounding such plant?

(b). If your answer to (a) is affirmative, please identify the plant or plants involved and describe in detail the facts of the experience including the nature of the dispersal and adverse impact upon the biosphere.

INTERROGATORIES ON CONTENTION I(b)

I(b)(4th)-1(a). In the Clarification and Supplementation, you stated in response to Interrogatory I(b)-1(c): "Further analysis will follow receipt of Applicants responses to Interrogatories." Have you performed any analyses relating to Contention I(b) since having received Applicants responses to your interrogatories?

(b). If your answer to (a) is affirmative, please describe in detail the nature of such analyses and any conclusions you arrived at based thereon.

I(b)(4th)-2(a). Are you aware of any experience at any operating nuclear power plant in the United States of chlorogenic compounds which were dispersed in cooling tower evaporation and were toxic to the biosphere surrounding that plant?

(b). If your answer to (a) is affirmative, please identify the plant or plants involved and describe in detail the facts of such experience including the quality and quantity of compounds, the nature of the dispersal, the nature of the toxicity and the aspect of the biosphere affected.

INTERROGATORIES ON CONTENTION I(c)

I(c)(4th)-1(a). In the Clarification and Supplementation, you stated in response to Interrogatory I(c)-1(c): "Further analysis will follow receipt of Applicants responses to interrogatories." Have you performed any analyses relating to Contention I(c) since having received Applicants responses to your interrogatories?

(b). If your answer to (a) is affirmative, please describe in detail such analyses and any conclusions you arrived at based thereon.

I(c)(4th)-2(a). Are you aware of any experience at any operating nuclear power plant in the United States of dispersal of sulphuric acid and hydrogen peroxide in cooling tower evaporation with a resulting toxic impact upon the biosphere surrounding such plant?

(b). If your answer to (a) is affirmative, please identify the plant or plants included and describe in detail the facts of such experience including the quantities of sulphuric acid and hydrogen peroxide, the nature of the dispersal, the aspect of the biosphere affected and the nature of the toxicity.

INTERROGATORIES ON CONTENTION I(d)

I(d)(4th)-1(a). In the Clarification and Supplementation, you stated in response to Interrogatory I(d)-1(c): "Further analysis will follow receipt of Applicants responses to interrogatories." Have you performed any analyses relating to Contention I(d) since having received Applicants responses to your interrogatories?

(b). If your answer to (a) is affirmative, please describe in detail such analyses and any conclusions you arrived at based thereon.

I(d)(4th)-2(a). Are you aware of any experience at any operating nuclear power plant in the United States involving toxicity to the biosphere surrounding the plant resulting from the addition of biocides to cooling tower water?

(b). If you answer to the preceding interrogatory is affirmative, please identify the plant or plants involved, and describe in detail the facts of the experience, including the quality and quantity of biocides involved, how and when they were added to the water, the nature of the dispersal, the nature of the toxicity and the aspect of the biosphere affected.

INTERROGATORIES ON CONTENTION I(e)

I(e)(4th)-1(a). Do you contend that Cape Fear River water at the SHNPP Cape Fear River intake structure is not within N.C. water quality standards?

(b). If the answer to (a) is affirmative, please state in detail all facts which support your allegation that Cape Fear River water at the SHNPP Cape Fear River intake structure is not within N.C. water quality standards.

(c). If the answer to (a) is other than affirmative, please explain in detail how your response is consistent with Contention I(e).

I(e)(4th)-2(a). Please identify the specific sources of manufacturing and textile effluent contamination in the Cape Fear River upstream of the location of the SHNPP Cape Fear River intake structure.

(b). Please state in detail all facts which support your response to (a). Your answer should include, but not be limited to, specific effluents discharged by each source and effluent concentrations.

(c). Do you contend that any source identified in (a) is discharging effluents into the Cape Fear River in violation of its NPDES permit?

(d). If the answer to (c) is affirmative, please identify each such source.

(e). For each source identified in (d), please state in detail all facts which support your responses to (c) and (d).

(f). If the answer to (c) is other than affirmative, please explain in detail how your response is consistent with Contention I(e).

I(e)(4th)-3(a). Do you contend that concentrations, if any, of manufacturing and textile effluents in the SHNPP Main Reservoir (from water pumped from the Cape Fear River) will be the same as the concentrations of those effluents in the Cape Fear River at the SHNPP Cape Fear River intake structure?

(b). If the answer to (a) is affirmative, please state in detail all facts which support your allegation that concentrations, if any, of manufacturing and textile effluents in the SHNPP Main Reservoir (from water pumped from the Cape Fear River) will be the same as the concentrations of those effluents in the Cape Fear River at the SHNPP Cape Fear River intake structure.

(c). If the answer to (a) is other than affirmative, please explain in detail how your response is consistent with Contention I(e).

I(e)(4th)-4(a). In the Clarification and Supplementation, you stated in response to Interrogatory I(e)-4(c): "Further analysis will follow receipt of Applicants responses to interrogatories." Have you performed any analyses relating to Contention I(e) since having received Applicants responses to your interrogatories?

(b). If your answer to (a) is affirmative, please describe in detail the nature of such analyses and any conclusions you arrived at based thereon.

REQUEST FOR PRODUCTION OF DOCUMENTS

Applicants request that Richard D. Wilson respond in writing to this request for production of documents and produce the original or best copy of each of the documents identified or described in the answers to each of the above interrogatories at a place mutually convenient to the parties.

Respectfully submitted,

Hill Carrow

Hill Carrow
Attorney
CAROLINA POWER & LIGHT COMPANY
Post Office Box 1551
Raleigh, North Carolina 27602
(919) 836-6839

Thomas A. Baxter, P.C.
John H. O'Neill, Jr.
SHAW, PITTMAN, POTTS & TROWBRIDGE
1800 M Street, N.W.
Washington, D. C. 20036
(202) 822-1000

Richard E. Jones
Samantha Francis Flynn
CAROLINA POWER & LIGHT COMPANY
Post Office Box 1551
Raleigh, North Carolina 27602

Date: June 30, 1983

SERVICE LIST

James L. Kelley, Esquire
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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

Charles A. Barth, Esquire
Myron Karman, Esquire
Office of Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Docketing and Service Section
Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Daniel F. Read, President
Chapel Hill Anti-Nuclear
Group Effort
Post Office Box 524
Chapel Hill, North Carolina 27514

Deborah Greenblatt, Esquire
1634 Crest Road
Raleigh, North Carolina 27606

Ruthanne G. Miller, Esquire
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

John D. Runkle, Esquire
Conservation Council of North Carolina
307 Granville Road
Chapel Hill, North Carolina 27514

M. Travis Payne, Esquire
Edelstein and Payne
Post Office Box 12643
Raleigh, North Carolina 27605

Dr. Richard D. Wilson
729 Hunter Street
Apex, North Carolina 27502

Mr. Wells Eddleman
718-A Iredell Street
Durham, North Carolina 27705

Thomas A. Baxter, Esquire
John H. O'Neill, Jr.
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, D. C. 20036

Dr. Phyllis Lotchin
108 Bridle Run
Chapel Hill, North Carolina 27514

Bradley W. Jones, Esquire
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street
Atlanta, Georgia 30303

Karen E. Long, Esquire
Staff Attorney
Public Staff
North Carolina Utilities Commission
Post Office Box 991
Raleigh, North Carolina 27601