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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'85 FEB 24 1985

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

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. 82-472-03
OL

Wells Eddleman's Interrogatories to NRC Staff and FEMA
(7th Set) 41G and FEMA

Wells Eddleman hereby requests the NRC Staff to answer the following interrogatories before Feb 19 1985 or such other date as counsel for the Staff, FEMA and I agree on. These interrogatories are submitted under 10 CFR 2.720(h)(11) and inquire into the studies, information, and knowledge of NRC staff with respect to my contentions on which discovery is now open. Since I cannot read the minds of the staff, and this information is not contained in documents which the staff has provided to me, I am unable to obtain this information by other means. Where the information is contained in a document I can obtain from NRC (Public Document Room, etc), I still need the identification of the document in order to obtain the information. The staff has resources and information which exceed what I have, and as a party, their position and information are necessary to making my case in this proceeding. These interrogatories are continuing in nature and should be supplemented when answers change.

GENERAL INTERROGATORIES

In all interrogatories herein, "you" or "Staff" means NRC Staff or FEMA; For each of contentions 41G Eddleman contentions.

please provide the following information by answering each of these questions.

1. What is ^[FEMA's or] NRC Staff's ^{reviewer's or affiant's} understanding of the subject matter of this contention?
2. Has ^{FEMA or} NRC Staff made any investigation into, (a) this contention (b) the subject matter of this contention (c) the allegation(s) in this contention (d) the basis of this contention (e) the information relied upon by intervenor(s) in support of this contention?
3. For all parts of your response to Interrogatory 2 above for which your answer is affirmative, please provide the following information: who made the analysis, inquiry, study or investigation; what was being considered in such analysis, inquiry, study or investigation ("AISI"); the content of the AISI, the results of the AISI, whether the AISI has been completed, whether a date for completing the AISI has been established if it is not complete, what that date is, all documents used in the AISI, all persons consulted

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in the course of the AISI, all documents containing information discovered or analysis or study or information developed during or as a result of the AISI (identify each such document and state what information or results it contains), whether staff believes additional analysis is warranted, or further AISI needs or may need to be undertaken on this contention, and whether any persons participating in the AISI are to be called as witnesses for the Staff in this case, and what questions the staff AISI is intended to answer and what information it seeks to develop if it is not complete.

4. For all responses to parts of (2) above for which NRC staff's ^{OR FEMA'S} answer is other than affirmative, please state (a) whether NRC staff ^{OR FEMA} plans to perform any AISI on this contention, (b) whether anyone on NRC Staff has stated that AISI of any kind is warranted for this contention (even though it has not been made) (c) whether NRC Staff plans for AISI ^{OR FEMA'S} on this contention include a date for beginning or for ending such AISI, (d) those dates, for all affirmative answers to (c) above, (e) what AISI ^{FEMA or} NRC staff will undertake on this contention (f) what AISI NRC staff desires to undertake on this contention (g) all reasons why no AISI is planned on this contention if none is planned (h) all reasons why no AISI has been done yet on this contention if none has been done (i) what the responsibilities of NRC staff ^{OR FEMA} with respect to this contention are.

5. Identify all documents the ^{FEMA or the} Staff relied on in opposing the admission of this contention, and any specific facts not stated in the Staff's opposition to admission of such contention (already filed in this case) upon which Staff relied in making such opposition.

6. Identify all documents not identified in Staff's interrogatories to Wells Eddleman or to Joint Intervenors (to present -- a continuing interrogator) upon which the Staff relied in making each such interrogatory.

7. Identify by name, personal or business address, ^{FEMA or} NRC staff position or title (if any), and telephone number (if known) each person on NRC staff or consultant to NRC staff or known to NRC Staff or consulted by NRC staff in the staff's analysis of the subject matter of this contention prior to (a) its filing (b) its admission; state for each such person what analysis was performed by that person.

8. State all professional qualifications of each person identified in response to interrogatories 7, 3, 4, _____.

9. Provide any statements of the analysis made by persons identified in response to interrogatories 3, 4, or 7a above, and identify all documents containing such information or statements not previously identified.

10. Give the identifier number, date, source, and title of all documents identified in response to interrogatories above, which are available through NRC PRDR (Public Document Room).

11. Will NRC Staff make available copies of documents identified in response to the above interrogatories to Wells Eddleman for inspection and copying, for documents not available through NRC's PIR?

12. Identify by name, ^{FEMA or} NRC staff position if any, address and telephone number each person whom NRC staff intends to ~~xxx~~ use or call as a witness in this proceeding.

13. State fully the professional qualifications of each person identified in response to interrogatory 12 above.

14. Summarize the position (or planned testimony) with respect to each contention on which such person is expected to testify, for each person identified in response to interrogatory 12 above.

15. Has ^{FEMA or} NRC Staff, any witness identified in response to interrogatory 12, or anyone acting in behalf of the Staff or such a witness or at their direction, made any calculation or analysis (not identified in response to interrogatories 1 through 4 above) with respect to this contention?

16. If the answer to interrogatory 15 above is yes in any case, provide the name, business or personal address, telephone number and professional qualifications of each person who has made such calculation or analysis, stating for each what contention it relates to, what person (or Staff) it was made for or at the direction of, and identifying all documents containing such calculation or analysis and all documents used in making such calculation or analysis or relied upon in it or supplying information used in it.

17. Provide a summary of each AISI, calculation or analysis ~~made~~ for which the answer to interrogatory 15, or interrogatory 2 above, is yes.

18. Please give the accession number, date and originator of each document identified in response to interrogatory 16, which is available at the NRC PDR.

19. Will ^{FEMA or} NRC Staff make available to Wells Eddleman for inspection and copying all documents identified in response to interrogatory 16 above which are not available through the PDR?

20. Identify each person, including telephone number, address, and field of expertise and qualifications (complete) (if any) ~~in~~ who answered interrogatories with respect to this contention; if more than one person contributed to an answer, identify each such person, providing the information requested above in this interrogatory for each such person, and state what each such person's contribution to the answer was, for each answer.

21. Identify all documents which the ^{FEMA or} Staff proposes or intends to use as exhibits with respect to this contention during this proceeding, including exhibits of Staff witnesses (identifying the witness for each, if such a witness has been designated), and exhibits to be used during cross-examination of witnesses of any party (stating for each which witness it is to be used in cross-examination of), and identifying for each the particular pages or chapters to be used as exhibits.

22. Identify all documents which ^{FEMA or} NRC staff relied upon in answering interrogatories with respect to this contention, which have not been identified in response to interrogatories 1 through 21 above, stating for each which answer(s) re which contention(s) it was used for, and each specific fact and page number therein on which NRC staff relied or which NRC staff used in answering such interrogatory.

23. Please give the accession number, date, and originator of each document identified in response to interrogatories 21 or 22 above which is available through the NRC PDR.

24. Will ^{FEMA or} NRC Staff provide Wells Eddleman with copies of the documents identified in response to interrogatory 21 or 22 above which are not available at the PDR, for inspection and copying?

25. Identify any other information or source of information not identified in response to the the above interrogatories 1 thru 24 ^{or} upon which any member of NRC staff relied, or which any such member of staff used, in answering each interrogatory with respect to this contention, naming the contention and response in which each such source was used, and the location of the information used or relied on in such source (e.g. page number, section, chapter, etc).

26 (a) Does the Staff ^{or FEMA} now agree with the contention? (b) Does the Staff now agree with any part of the contention?

27. If answer to (b) above is affirmative, which part(s) and why?

41-G-1. Please identify fully all documents which:

(a) contain any of the following:

- (i) any information in the personnel file of Chan Van Vo (also known as Van Vo Davis, or the same person under any other name)
- (ii) Chan Van Vo's application for employment, work assignments, work record, transfers, applications for transfer, job performance evaluations, probation, disciplinary actions proposed or taken with respect to Chan Van Vo or Van Vo's termination from CP&L, any written or verbal warnings to Chan Van Vo; all records of Van Vo's attendance, hours worked, promotion(s), recommendations for promotion(s), and any other information concerning Van Vo's employment, work performance, hiring, "counselling", or allegations raised by Chan Van Vo concerning safety (or lack of it) of work related to the Shearon Harris Nuclear Power Plant.
- (iii) Any records or documentation concerning, directly or indirectly, any and all meetings, conversations, interviews, discussions, or information not to be discussed (in all cases including written or verbal, formal or informal meetings, discussions, etc.) with anyone (including other CP&L and Daniel employees or other persons employed at the Shearon Harris site, supervisors, CP&L quality assurance personnel, M.A. McDuffie, E.E. Utley, NRC personnel, other investigators, news media, or anyone else) which directly or indirectly concern: Chan Van Vo, his work performance, his safety concerns, any others concerns raised by him to CP&L supervisory management, disciplinary action against Chan Van Vo, "counselling" Chan Van Vo concerning work performance or any other matters, transfers, promotions, hiring, firing, harassing,

or retaliating against Chan Van Vo; or allegations raised by Chan Van Vo with the Nuclear Regulatory Commission (NRC), Department of Labor (DOL), Department of Justice (DOJ), Government Accountability Project (GAP), Citizen intervenor groups or individuals, news media, or any government or private investigatory body.

- (iv) any other information directly or indirectly concerning, evaluating, discussing, or in any way mentioning Chan Van Vo, any proposed or actual action ~~taken~~ against him, or any other information concerning Chan Van Vo or his safety concerns or other concerns;
- (v) any and all internal CP&L or external investigations or inquiries concerning Chan Van Vo, his work performance, any action against Chan Van Vo, any action proposed to be taken with respect to Chan Van Vo, any allegations made by Chan Van Vo or any contacts between Chan Van Vo and NRC or DOL or DOJ or GAP or any citizen intervenor group, or any news media or any other person;
- (vi) any records or evaluations of Chan Van Vo's work performance, including evaluations made either before, at the time of, or after Chan Van Vo's being placed on probation;
- (vii) any evaluations or reports on Chan Van Vo's allegations (including the Cobb Report), identifying each document produced or used in preparing, or in connection with such evaluation(s) or report(s), and any information which was available to the preparer(s) of such evaluation(s) or report(s) which was not used or reported in such evaluation(s) or report(s);
- (viii) any internal or external investigation(s), evaluation(s), or inquiry(ies) into Chan Van Vo's character, employment qualifications, or job performance, including any information requested or sought, any questions asked, and all information received;
- (ix) medical or psychological reports, evaluation(s) and/or record(s) concerning Chan Van Vo;
- (x) information concerning the dates or matters discussed in meetings between Chan Van Vo and any higher ranking CP&L employee, concerning any matters raised as concerns by Chan Van Vo.

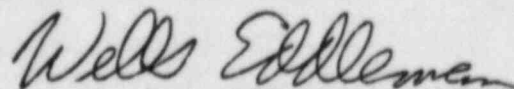
(b) Refer to any of the items or matters listed in (a)(i)-(x) above
(c) may have contained or referred to any of the matters inquired about above but which has been (1) destroyed, (2) lost, (3) given away, (4) loaned to anyone, (5) mislaid, or (6) otherwise found unavailable for inspection any copying. For each such document please provide a summary of the contents of such document, the date when the document was destroyed, lost, loaned, given away, mislaid, or otherwise became unavailable, and all reasons why; and the name and address or any other person(s) who have or may have said document or a copy of it, or information the document contains or contained.

41-G-2(a) Please identify all documents used by, reviewed by, or in the possession of Alex Fuller, Ed Willett, E.E. Utley, M.A. McDuffie, A. Parks Cobb, Jr., or any other person who was employed by CP&L and supervised or met with or investigated Chan Van Vo, which concern Chan Van Vo or any action or allegation by Van Vo, including notes, recordings or any other information, stating who possesses each item of information (including information used by or reviewed by ~~any~~ any person including those named above, which is not now in that person's possession. (b) Please make available all statements, notes, or other information produced by or possessed by any of the persons inquired about above, or any other persons, concerning meeting with Chan Van Vo, discussion(s) or conversation(s) with Chan Van Vo, or investigation of, disciplinary action against, or any other action against, Chan Van Vo.

REQUEST FOR PRODUCTION OF DOCUMENTS

Wells Eddleman hereby requests that any documents identified in response to the above interrogatories be produced for inspection and copying. In light of the short discovery deadline I request that any documents or parts of documents found to be available be made available as soon as possible, regardless of the time it takes to locate or produce the rest of such documents or the time it takes to produce other documents. (This is not a waiver of production times, but a request for rapid production). Chan Van Vo's counsel advises me that Chan Van Vo is aware of these requests and has no objection to my receiving or reviewing any documents concerning the matters inquired about above.

4 February 1985


Wells Eddleman