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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

2-4-85

In the Matter of

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

Docket: 50-400 OL

Wells Eddleman's General Interrogatories  
to Applicants Carolina Power & Light et al.  
(11<sup>th</sup> Set)

Under 10 CFR 2.740, 2.741 and the Board's 9-22-82 Memorandum(s)  
and Order<sup>(s)</sup>, Wells Eddleman requests Applicants to answer separately  
and fully in writing, under oath or affirmation, each of the  
following interrogatories, and to produce a permit inspection and  
copying of the original or best copy of all documents identified  
in response to interrogatories as set forth below.

6-14-84 + 8-03-84 + 1/15/85  
14+

AND NC Dept of CEMS + County emergency  
planners

These interrogatories are intended to be continuing in nature,  
and I request each answer to be promptly supplemented or amended as  
appropriate under 10 CFR 2.740(e), should CP&L, NCEMPA, any other  
or any contractor or consultant to any, some or all of those,  
Applicant, or any employee of any or some or all of them, or any  
individual acting on behalf of any or some of all of them, obtain  
or create any new or differing information responsive to these  
(where "Them" refers to the preceding listing(s))  
general interrogatories. The request for production of documents  
is also continuing and requests Applicants to produce promptly if  
not immediately any additional documents the Applicants and others  
acting on their behalf or employed by them, as listed in the previous

State of NC, State or  
County emergency  
response  
planner:  
or  
personne

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sentence, obtain which are responsive to the request(s) for production of documents below.

Where identification of a document is requested, please briefly describe the document (e.g. book, notebook, letter, memo, report, notes, transcript, minutes, test data, log, etc.) and provide the following information as applicable: document name, title, number, author(s), date of writing or of publication or both, addresses, date approved, by whom approved, and the name and address of the persons having normal custody of the document, and name and address of any person other than the preceding having actual possession of the document. When identifying documents in response to these interrogatories and requests, please state the portion or portions of the document (e.g. sections, chapters, pages, lines) upon which Applicants rely or which Applicants swear or affirm is/are responsive to the applicable interrogatory or request.

DEFINITIONS herein:

"Harris", "Harris Plant", "SHNPP", or "plant" where not specified otherwise, all mean the Shearon Harris Nuclear Power Plant.

"Applicants" means all of the persons, employees, consultants, contractors and corporations as listed in the first sentence of the second paragraph on page 1 of this document, above.

"FSAR" means the Harris Final Safety Analysis Report.

"ER" means the Harris Environmental Report.

"Document(s)" means all writings and records of every type, including electronic and computer records, in the possession, control or custody of Applicants or any individual(s) acting on Applicants' behalf, including, but not limited to: reports, books, memoranda, correspondence, notes, minutes, pamphlets, leaflets, magazines, articles, surveys, maps, bulletins, photographs, speeches, transcripts,

voice recordings, computer printouts, information stored in computers or computer peripheral devices such as disks, drums, etc., voice recordings, microfilm, microfiche and all other writings or recordings of any kind(s); and copies of any of the preceding even though the original(s) are not in the possession of Applicants or in their custody or control. Document(s) shall be deemed to be within the control of Applicants or <sup>any</sup> individual(s) acting on their behalf if they have ownership, possession, or custody of the document(s) or a copy thereof, or have the right to secure the document(s) or a copy thereof, from any person or public or private entity having physical possession thereof.

Each definition given above applies within all other definitions above.

### GENERAL INTERROGATORIES

G1 (a) Which contentions of Wells Eddleman do Applicants agree are now admitted in this proceeding, NPC Dockets 50-400/401 O.L.?

(b) for each such contention, provide for any answers to interrogatories by Wells Eddleman which Applicants have previously or presently received (except those suspended by Board order, if any), the following information:

(c) Please state the name, present or last known address, and present or last known employer of each person whom Applicants believe or know (1) has first-hand knowledge of the facts alleged in each such answer; or (2) upon whom Applicants relied (other than their attorneys) in making such answer.

(d) please identify all facts concerning which each such person identified in response to G1(c)(1) above has first-hand knowledge.

(e) please identify all facts and/or documents upon which each person identified in response to G1(c)(2) above relied in providing information to respond to the interrogatory, including the parts of such documents relied upon.

(f) Please identify any other document(s) used <sup>or relied upon</sup> by Applicants in responding to the interrogatory.

(g) Please state which specific fact each document, identified in response to G1(e) and G1(f) above, supports, in the opinion or belief of Applicants, or which Applicants allege such document supports.

(h) Please state specifically what information each person identified in response to G1(c)(1) or G1(c)(2) above provided to or for Applicants' affiant in answering the interrogatory. If any of this information is not documented, please identify it as "undocumented" in responding to this section of General Interrogatory G1.

G2.(a) Please state the name, present or last known address, title (if any), and present or last known employer, and economic interest (shareholder, bondholder, contractor, employee, etc.) if any (beyond expert <sup>or other</sup> witness fees) such person holds in Applicants or any of them, for each person you intend <sup>or expect</sup> to call as an expert witness or a witness in this proceeding, if such information has not previously been supplied, or has changed since such information was last supplied, to Wells Eddleman. This applies to Eddleman and Joint Contentions as admitted, or stipulated by Applicants.

(b). Please identify each contention regarding which each such person is expected to testify.

(c) Please state when you first contacted each such person with regard to the possibility of such person's testifying for Applicants, if you have contacted such person.

(d) Please state the subject matter, separately for each contention as to which each such person is expected to testify, which each such person is expected to testify to.

(e) Please identify all documents or parts thereof upon which each such witness is expected to, plans to, or will rely, in testifying or in preparing testimony.

G3(a) Please identify any other source(s) of information which Applicants have used to respond to any interrogatory identified under G1 above, stating for each such source the interrogatory to which it relates, and what information it provides, and identifying where in such source that information is to be found.

(b) Please identify any other source(s) of information not previously identified upon which any witness identified under G2 above, or other witness, has used in preparing testimony, or exhibits in testimony or exhibits, or expects to use in testimony or exhibits, identifying for each such source the witness who is expected to use it, and the part or part(s) of such source (if applicable) which are expected to be used, and, if not previously stated, the fact(s) or subject matter (or both) to which such source relates.

G4(a) please identify all documents, and which pages or sections thereof Applicants intend or expect to use in cross-examination of any witness I call in this hearing. For each such witness, please provide on a timely basis (ASAP near or during hearings) a list of all such documents, the subject matter Applicants believe they relate to, and make the document(s) available for inspection and copying as soon as possible after Applicants decide or ~~intend~~ <sup>form intent</sup> to use such document in cross-examination.

(b) please identify any undocumented information Applicants intend to use in cross-examination of each such witness for me.

G5 (a) for each contention Applicants state or admit is an admitted Eddleman contention under G1(a) above, or an admitted joint intervenor contention, please state whether Applicants have available to them experts, and information, on the subject matter of the contention.

(b) If the answer to (a) above is other than affirmative, state whether Applicants expect to be able to obtain expertise in the subject matter, and information on it, and if not, why not.

G-6(a) for each document identified in response to any interrogatory herein, or referenced in response to any interrogatory herein, please supply all the following information which has not already been supplied:

- (i) date of the document
  - (ii) title or identification of document
  - (iii) all authors of the document, or the author
  - (iv) all qualifications (professional, technical) of each author of the document
  - (v) the specific parts, sections or pages, if any, upon which Applicants rely of the document,
  - (vi) the specific information each part, section or page identified in response to (v) above contains.
  - (vii) identify all documents used in preparing the document, to the extent known (and also to the extent not identified in the document itself)
  - (viii) state whether Applicants <sup>or State of NC or any emergency</sup> possess a copy of the <sup>planner</sup> document
  - (ix) state all expert opinions contained in the document, upon which Applicants rely, or identify each such opinion.
  - (x) identify the contention(s) with respect to which Applicants rely upon (a) the expert opinions (b) the facts identified in the document
  - (xi) state whether Applicants now employ any author(s) of the document, identifying each such person for each document.
  - (xii) state whether Applicants have ever employed any author(s) of the document, identifying each such person for each document.
  - (xiii) identify all sources of data used in the document.
- Answers to all the above may be tabulated or grouped for efficiency.

G-7(a) Please identify all documents which Applicants plan, expect or intend to offer as exhibits (other than for cross-examination) with respect to each Eddleman contention admitted in this proceeding which (i) is included in your current response to G1(a), or (ii) is the subject of interrogatories in this set; please state for which contention or contentions each exhibit will be or is expected to be offered.

(b) Please identify all documents which Applicants plan, expect or intend to use in cross-examination of any other parties' witnesses or joint intervenor witness in this proceeding, with respect to (i) Eddleman contentions identified under G-7(a)(i) (or G1-(a)) above, or any other Eddleman contention which is the subject of interrogatories in this set; (ii) each Joint contention now admitted in this proceeding; (iii) per our agreement of 4-8-83, each contention of each other party to this proceeding which is currently admitted. Please identify for each such document the witnesses, or witness, and all contentions with respect to whom (or which) that document is planned, expected, or intended to be offered or used.

(c) Please identify which of the documents identified in response to (b) <sup>(1)</sup> above will be offered into evidence by Applicants, and (ii) which of the same documents Applicants expect to offer into evidence or intend to offer as evidence or exhibits in this proceeding.

G-10(a) Where the above general interrogatories, *and/or specific interrogatories below,* or any of them, call for identification of documents, (i) and no documents are identified, is that the same as Applicants stating that there are no documents responsive to this general interrogatory, in each case where no documents are identified? (ii) and documents are identified, is that the same as Applicants stating that the identified

documents are the only ones presently known which are responsive to the interrogatories? (iii) If your answer to G-10(a)(ii) is other than affirmative, please state all reasons for your answer. (iv) If your answer to G-10(a)(i) above is other than affirmative, please state all reasons for your answer.

(b) Where any interrogatory, general or specific, herein, calls for factual information (i) and an opinion is stated in response, is that the expert opinion of any person(s) identified as having contributed information to that response? (ii) and facts are given or identified (or a fact is) in response, but no documents are identified, does that mean Applicants have no documents containing such fact(s)?

(iii) If your answer to (i) above is affirmative, please state for each such response all qualifications of <sup>each</sup> expert upon whom Applicants rely for each such answer. The qualifications need be stated only once for each such person if they are clearly referenced in other answers. (iv) If your answer to (i) above is other than affirmative, please state which opinions, if any, given in response to interrogatories (general or specific) herein is the opinion of an expert, identify each expert whose opinion you used in response to each interrogatory, and state in full the qualifications of each such expert. (v) If your answer to (i) above is other than affirmative, please identify all opinions of non-experts used in your responses, and identify each non-expert whose opinion is included in each answer herein.

(vi) If your response to (ii) above is other than affirmative, please identify each document which contains a fact not previously documented in your response(s), stating what the fact is, and at what page, place, chapter or other specific part the document contains such fact.



G-11 For each answer to each interrogatory herein (or any subpart or part thereof), please identify each item of information in possession of Applicants (including facts, opinions of experts, and documents) which (a) contradicts the answer you made, (i) in whole (ii) in part (please identify each such part for each item of information identified); (b) casts doubt on your answer (i) in whole (ii) in part (please identify each such part for each item of information identified). (c) Please identify all documents not already identified in response to parts (a) and (b) above (and their subparts) which contains any item of information asked for in (a) or (b) above. Please identify for each such document what information item(s) it contains and what answer(s) each such item is related to.

G-12(a) In your <sup>present</sup> previous answers where you have not identified documents, (i) have all relevant documents been produced in lieu of stating identification of each such document? (ii) do you rely on the entire document, since you have not identified parts or page numbers? (iii) if there are any particular parts or pages of each document produced, which you believe are responsive to an interrogatory or portion thereof, please identify each set of parts or pages in each document, together with the interrogatory or portion thereof (or interrogatories and/or portions thereof) to which it is responsive. (iv) where no documents are identified and identification of documents has been requested, are you saying such no documents exist? Or that no such documents are in your possession? (b) In your present answers, are you actually identifying documents where identification of documents is requested? (c) If not, how are you going to provide identification of documents? Will that identification include statements of relevant pages or parts?

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 or 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,

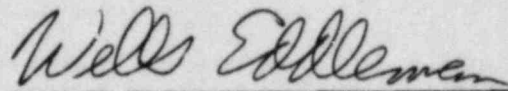
mislaid, or otherwise became unavailable, and all reasons why; and the name and address or any other person(s) who have or may have said document or a copy of it, or information the document contains or contained.

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 ~~i~~ 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