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RELATED CORRESPONDENCE

October 22, 1984

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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)	Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear Power Plant))	
)	

APPLICANTS' RESPONSE TO WELLS EDDLEMAN'S SECOND ROUND
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO CP&L
AND NC/COUNTY EMERGENCY PLANNERS ON CONTENTIONS 57-C-7 AND 240

Applicants Carolina Power & Light Company ("CP&L") and North Carolina Eastern Municipal Power Agency, pursuant to 10 C.F.R. § 2.740b, hereby submit the following responses to "Wells Eddleman's Second Round Interrogatories and Request for Production of Documents to CP&L and NC/County Emergency Planners" on Contentions 57-C-7 and 240. The provision of answers to these interrogatories is not to be deemed a representation that Applicants consider the information sought to be relevant to the issues to be heard in this proceeding.

A. Please provide answers to the general interrogatories (11th and 12th sets) previously provided, with respect to each item below to which any of them applies, or to which the answer has changed, as if those general interrogatories were fully set out here.

GENERAL INTERROGATORIES

INTERROGATORY NO. GI(a). Which contentions of Wells Eddleman do Applicants agree are now admitted in this proceeding, NRC Dockets 50-400/401 O.L.?

ANSWER: The contentions of Intervenor Eddleman which are admitted to this proceeding are set forth in various memoranda and orders issued by the Atomic Safety and Licensing Board, all of which are available to Mr. Eddleman.

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INTERROGATORY NO. GI(b). [F]or 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:

ANSWER: The answers to General Interrogatories herein are restricted to Eddleman Contentions 57-C-7 and 240.

INTERROGATORY NO. GI(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.

ANSWER: The following list identifies those persons who provided information upon which Applicants relied in answering the interrogatories on Contentions 57-C-7 and 240 and indicates the particular interrogatory answers for which such person provided information:

<u>PERSON</u>	<u>INTERROGATORY NO.</u>
Jesse T. Pugh, III Director, Division of Emergency Management N.C. Dept. of Crime Control and Public Safety Raleigh, N.C. 27611	240-4(b), 240-5(c), 240-7
Mark Scott Emergency Management Coordinator Chatham County Emergency Management Agency Pittsboro, N. C. 27312	240-4(a) & (c); 240-5; 240-6, 240-7
Robert G. Black, Jr. Carolina Power & Light Company P. O. Box 1551 Raleigh, N. C. 27602	57-C-7-4 through 57-C-7-7

INTERROGATORY NO. GI(d). [P]lease identify all facts concerning which each such person identified in response to GI(c)(1) above has first-hand knowledge.

ANSWER: See answer to Interrogatory No. GI(c).

INTERROGATORY NO. GI(e). [P]lease identify all facts and/or documents upon which each person identified in response to GI(c)(2) above relied in providing information to respond to the interrogatory, including the parts of such documents relied upon.

ANSWER: All facts or documents relied upon by those individuals identified above are indicated within each response to the specific interrogatories on Contentions 57-C-7 and 240.

INTERROGATORY NO. G1(f). Please identify any other document(s) used or relied upon by Applicants in responding to the interrogatory.

ANSWER: See Answer G1(e).

INTERROGATORY NO. G1(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.

ANSWER: Applicants have indicated which specific facts are supported by the documents identified, within each response to the specific interrogatories on Contentions 57-C-7 and 240.

INTERROGATORY NO. G1(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.

ANSWER: See Answer G1(c).

INTERROGATORY NO. 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 or other witness fees) such person holds in Applicants or any of them, for each person you intend or expect 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.

ANSWER: Applicants have not yet identified the expert or other witnesses they expect to call in this proceeding regarding these Eddleman contentions. When and if such witnesses are identified, Applicants will supplement this response in a timely manner.

INTERROGATORY NO. G2(b). Please identify each contention regarding which each such person is expected to testify.

ANSWER: See Answer G2(a).

INTERROGATORY NO. G2(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.

ANSWER: See Answer G2(a).

INTERROGATORY NO. G2(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.

ANSWER: See Answer G2(a).

INTERROGATORY NO. G2(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.

ANSWER: See Answer G2(a).

INTERROGATORY NO. G3(a). [P]lease 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.

ANSWER: Applicants have identified all other such sources of information, if any, within the answers to the specific interrogatories set forth herein.

INTERROGATORY NO. G3(b). [P]lease 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, 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) or 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.

ANSWER: See Answer G2(a).

INTERROGATORY NO. G4(a). [P]lease 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 form intent to use such document in cross-examination.

ANSWER: Applicants have not at this time identified which documents, if any, they intend to use in cross-examination of Mr. Eddleman's witnesses.

INTERROGATORY NO. G4(b). [P]lease identify any undocumented information Applicants intend to use in cross-examination of each such witness for me.

ANSWER: See Answer G4(a).

INTERROGATORY NO. G5(a). [F]or 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.

ANSWER: Applicants have available to them experts and information on the subject matter of Contentions 57-C-7 and 240.

INTERROGATORY NO. G5(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.

ANSWER: Not applicable.

INTERROGATORY NO. G6(a). [F]or 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, of the document, if any, upon which Applicants rely
- (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 possess a copy of the 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 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.

ANSWER: All such information available to the Applicants with regard to each document identified in response to an interrogatory herein is contained in the particular document which is being made available to Mr. Eddleman. It would be particularly burdensome for Applicants to research all historical employment records to determine whether the authors of each document identified herein have ever been employed by

Applicants. However, Applicants will supplement this response in a timely manner if and when Mr. Eddleman identifies any such author regarding whom he is particularly interested in determining this information.

INTERROGATORY NO. G7(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.

ANSWER: Applicants have not yet identified those documents they intend to offer as exhibits relating to Contentions 57-C-7 or 240.

INTERROGATORY NO. G7(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 G7(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.

ANSWER: Applicants have not yet identified those documents they intend to use for cross-examination of any witness.

INTERROGATORY NO. G7(c). Please identify which of the documents identified in response to (b) above (i) 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.

ANSWER: See Answer G7(b).

INTERROGATORY NO. G10(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 G10(a)(ii) is other than affirmative, please state all reasons for your answer. (iv) If your answer to G10(a)(i) above is other than affirmative, please state all reasons for your answer.

- ANSWER: (i) Yes.
(ii) Yes.
(iii) Not applicable.
(iv) Not applicable.

INTERROGATORY NO. GIO(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 each 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.

ANSWER: (i) Yes.

(ii) See Answers GI(e), (f) and (g) and GIO(a)(i) above.

(iii) Statements of experience and qualifications have previously been provided.

(iv) Not applicable.

(v) Not applicable.

(vi) Not applicable.

INTERROGATORY NO. GII. 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.

ANSWER: GII(a)-(c): Applicants have no such information.

INTERROGATORY NO. G-12(a): In your previous & present 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 [sic] thereof, please identify each set of parts or pages in each document, together with the interrogatory or portion [sic] thereof (or interrogatories and/or portion thereof) to which it is responsive. (iv) where no documents are identified

and identification of documents has been requested, are you saying no such 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?

ANSWER: G12(a)-(c): All responsive documents have been either identified in or produced in response to the discovery requests. Page numbers have been specified in each case where Applicants rely on specific portions of a document and can identify those portions more readily than could someone who has no familiarity with the document. Where identification of documents has been requested, and none are identified, Applicants know of no responsive documents.

B. Are all references to the State Emergency Plan (in support of the Shearon Harris Nuclear Power Plant) in your responses of October 1, 1984, to Revision 1 of that plan? If not, which ones are to another version and which version do they refer to (please identify version for each).

ANSWER: All references in the October 1, 1984 responses are to the February 1984 version of the ERP.

ANSWERS TO SPECIFIC INTERROGATORIES ON CONTENTIONS 57-C-7 and 240

INTERROGATORY NO. 240-4(a) Where in the emergency plan does it say which Chatham County Fire Departments are responsible for decontamination of evacuees at shelters? (b) Have these departments been specifically trained in decontamination techniques as distinct from radiation monitoring? Please give all details of such training, and identify all documents including texts, notes, course outlines, or other training materials on decontamination used in training these fire departments; please identify which fire departments have received what training, and for each document identified, specify how and for whom (e.g. which fire department) it was used in training re decontamination. (c) Do any of the fire departments listed in your answer 240-1(b) have a plan for decontaminating evacuees at a shelter? If so, is the plan written? Please identify all documents containing such plan(s) for each fire department.

ANSWER: 240-4(a) The North Carolina Emergency Response Plan (ERP) does not specify the Chatham County fire departments that will be responsible for decontamination of persons at specific shelters. The answer to Interrogatory 240-1(b) identified these fire departments. They will also be specified in the Chatham County Standard Operating Procedures.