

February 14, 1985

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Note to: Ben B. Hayes, Director
Office of Investigation

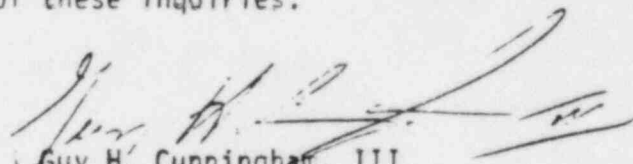
From: Guy H. Cunningham, III
Executive Legal Director

SUBJECT: SHEARON HARRIS OPERATING LICENSE PROCEEDING, DISCOVERY OF OI
INVESTIGATION

Please find attached a set of interrogatories which has been submitted to the staff by Mr. Wells Eddleman, an intervenor in the Shearon Harris operating license proceeding. These interrogatories relate to Mr. Eddleman's contention that a Mr. Chan Van Vo, a former CP&L employee, was harassed because of his efforts to raise safety concerns.

It is our understanding that the Atlanta Regional Office of OI is currently conducting an investigation that relates to certain of the matters raised in these interrogatories. Accordingly, because your office has information responsive to certain of these requests, we are transmitting these interrogatories to you for whatever response you believe is appropriate consistent with your practice and policy relating to ongoing investigations. As discussed in an earlier telephone conversation between Mr. Christenbury and Mr. Fortuna, answers or objections to the interrogatories should be filed by February 25, 1985.

Because of the very complex nature of these interrogatories, the OELD case attorneys in this proceeding, Mrs. Janice E. Moore (ext.27313) and Mr. Charles Barth (ext.27455), will be pleased to assist your staff and your counsel, OGC, in their consideration of these inquiries.


Guy H. Cunningham, III
Executive Legal Director

Attachment:

1. Discovery requests
2. Service List
3. MEMORANDUM AND ORDER (Ruling on Certain Safety Contentions and Other Matters) (January 14, 1985)

cc w/attachments:

James Fitzgerald

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PDR FDIA
GUILDB5-173 PDR

Official Copy

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February 14, 1985

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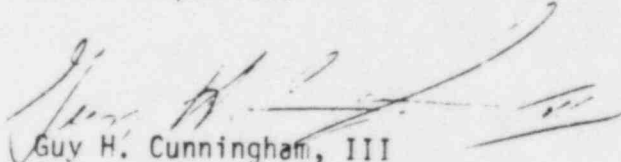
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James Fitzgerald

A 145

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before Administrative Judges

February 25, 1985

James L. Kelley, Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. James H. Carpenter
Administrative Judge
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC

Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC

In the matter of

CAROLINA POWER & LIGHT COMPANY
and
NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

Docket Nos. 50-400 OL
(ASLBP NO. 82-472-03 OL)

(Shearon Harris Nuclear Power
Plant)

Dear Administrative Judges:

The Office of Investigations has been made aware of the set of interrogatories which were submitted by Mr. Wells Eddleman. These interrogatories relate to the contention that Mr. Chan Van Vo, a former Carolina Power & Light Company (CP&L) employee, was harassed because of his efforts to raise safety concerns. We have also received a copy of your Memorandum and Order, ruling on these contentions, dated January 14, 1985, subject as above.

This letter is to advise you that the Office of Investigations is currently conducting an investigation into allegations by Mr. Van Vo of harassment, as specified in Mr. Eddleman's contention 41-G as revised. It is anticipated that this investigation will take a minimum of ten weeks to complete. Release of information developed in the investigation prior to completion of the investigation would severely prejudice our investigative efforts.

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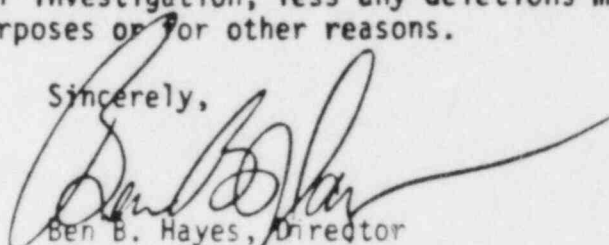
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February 25, 1985

This office would, of course, be prepared to present an in camera ex parte briefing to bring the Board up to date on our investigative progress, if requested. However, there is considerable investigative effort to be accomplished before the OI investigation is concluded. Due to the transitory nature of investigative matters, it is possible that currently available information may take on new or different meanings as the investigation progresses. At the conclusion of the OI investigation, the ultimate findings would provide a more true and complete picture of the circumstances as a foundation for any decision-making.

Accordingly, because of the ongoing nature of the investigation, we are not providing any information in response to the interrogatories at this time, and it is recommended that the Board await completion of the current investigation prior to pursuing this matter further. At that time, the Board will be provided a copy of the final report of investigation, less any deletions made to meet privacy or confidentiality purposes or for other reasons.

Sincerely,



Ben B. Hayes, Director
Office of Investigations

cc: S. Chilk, SECY
R. Levi, OGC
E. Christenbury, ELD

A147

ROUTING AND TRANSMITTAL SLIP

Date
February 25, 1985

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Samuel Chilk, SECY		
2.		
3.		
4.		
5.		

Action	File	Notes and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See file
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please serve enclosed letter on all parties and also place in Public Document Room (PDR).

Enclosure

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post) <i>R. Fortuna</i> Roger Fortuna, 01	Room No.—Bldg. _____ Phone No. _____
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* GPO: 1983 O - 381-529 (232)

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Handwritten notes:
→
1/23/85
JLB

U.S. NRC

February 25, 1985

65 FEB 27 AM 9 57

Wells Eddleman
718-A Iredell Street
Durham, NC 27701

In the Matter of
Carolina Power and Light Company and
North Carolina Eastern Municipal Power Agency,
(Shearon Harris Nuclear Power Plant, Units 1 and 2)
Docket Nos. 50-400, 401

SUBJECT: Interrogatories on
Contention 41-G M. Van Vo

Dear Mr. Eddleman:

This will confirm our telephone conversation of this morning. The Commission's Office of Investigation is investigating the allegation of whether Mr. Van Vo was harassed for seeking to raise safety concerns. The interrogatories you served on the Staff have been turned over to OI for response.

I understand that today OI is filing a letter with the Licensing Board setting forth their position. You will receive a copy of that letter.

Sincerely,

Handwritten signature: J. L. Barth

Charles A. Barth
Counsel for NRC Staff

cc: Service List
✓ Ben Hayes, OI
Rick Levi, OGC
Jim Vorse, OI Atlanta

~~8593410283~~ 2pp

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