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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA '88 DEC -5 A10:20

NUCLEAR REGULATORY COMMISSION

before the

ATOMIC SAFETY AND LICENSING BOARD

_____ )	
In the Matter of )	
VERMONT YANKEE NUCLEAR )	Docket No. 50-271-OLA
POWER CORPORATION )	
(Vermont Yankee Nuclear )	(Spent Fuel Pool
Power Station) )	Expansion)
_____ )	

**INTERROGATORIES PROPOUNDED BY  
VERMONT YANKEE NUCLEAR POWER CORPORATION  
TO THE COMMONWEALTH OF MASSACHUSETTS  
(CONTENTIONS 2 AND 3)**

Pursuant to 10 C.F.R. § 2.740b and this Board's orders of May 26, 1987 and October 11, 1988, Vermont Yankee Nuclear Power Corporation ("Vermont Yankee") propounds the following interrogatories to the Commonwealth of Massachusetts ("Commonwealth").

1. Please identify each person who participated or assisted in the preparation of Commonwealth's answers to these interrogatories, and identify the portions or your response to which each person contributed.
  
2. With respect to each person identified in response to the foregoing interrogatory, please state whether Commonwealth expects that such person will be presented as a witness in this proceeding. If so, please state:
  - a. The facts to which each is expected to testify;
  - b. The basis of each's knowledge of the facts to which he is expected to testify;
  - c. The opinions to which each is expected to testify; and
  - d. A summary of the basis for each such opinion.
  
3. Please identify each and every document employed by Commonwealth in preparing its responses to these interrogatories, referred to by Commonwealth in preparing its responses to these interrogatories, or (whether or not referred to) upon which Commonwealth relies in support of

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any proposition set forth by Commonwealth in its responses to these interrogatories.

4. Please produce for inspection and copying, at the offices of Ropes & Gray, 225 Franklin Street, Boston, Massachusetts 02110 on Thursday, December 29, 1988, each document identified or required to be identified in your responses to these interrogatories.

5. Does Commonwealth admit that a worker exposure of 33 man-rem is sufficiently low that a conclusion that the proposed amendment does not constitute "a major federal action significantly affecting the environment" is correct?

6. If your answer to the foregoing interrogatory is anything other than an unqualified affirmative, please explain each and every reason why Commonwealth contends that a worker exposure at a level of 33 man-rem renders the proposed amendment a "major federal action significantly affecting the environment."

7. There have been approximately 100 spent fuel pool expansions performed in the United State: by re-racking. Not one of those expansions has been determined to be a "major federal action significantly affecting the environment," whether on account of worker exposure or any other ground. Does Commonwealth contend that, for any reason, the proposed re-racking at VYNPS is sufficiently different that a different result should obtain? If so, please explain all of the reasons why Commonwealth contends that VYNPS is different.

8. Does Commonwealth contend that the NRC Staff is required to prepare an EIS in respect of the proposed spent fuel pool amendment because the worker exposure that implementation of the amendment will entail renders the amendment a "major federal action significantly affecting the environment?" If so, then please:

- a. State what Commonwealth contends is the worker exposure that implementation of the proposed amendment will entail.
- b. Explain in detail how Commonwealth calculated or estimated this worker exposure.
- c. Identify and state the qualifications of the person or persons who prepared this calculation or estimate to make such a calculation or estimate.

9. Does Commonwealth believe that, for purposes of assessing the reasonableness of Vermont Yankee's estimate of 33 man-rem of worker exposure for implementation of the proposed amendment, it is relevant to investigate the level of worker exposure estimated or incurred at other spent fuel pool re-rackings in the United States? If your answer to this interrogatory is in the affirmative, please:

- a. Describe the actions that Commonwealth took to investigate such worker exposures at other facilities before submitting or supporting the admission of Contention 2.
  - b. Describe the actions that Commonwealth took to investigate such worker exposures at other facilities after submitting or supporting the admission of Contention 2.
  - c. Describe the results of the investigation(s) that Commonwealth performed.
  - d. Identify and produce for inspection and copying all documents reflecting such investigation(s), the results thereof, the significance of the results, and the efforts undertaken by Commonwealth.
  - e. Identify and state the qualifications of the person or persons who prepared this investigation(s) for Commonwealth or estimate to make such an investigation(s).
10. Does Commonwealth contend that the EA is deficient because "the EA fails to record individual worker exposures?" If so, please:
- a. Explain what Commonwealth means by the assertion that the "EA fails to record individual worker exposure."
  - b. Explain how Commonwealth contends "individual worker exposure" might be "recorded" prior to the events that produce the exposure.
11. Does Commonwealth contend that, given that 33 man-rem is the correct estimate of aggregate worker exposure, the question of whether the proposed amendment should be approved or not is affected by "the number of workers receiving additional exposures through this amendment, the maximum exposures to be received by individual workers, or the number of workers who would likely receive various levels of exposures?" If so:
- a. Is Commonwealth aware of any case in which the question of worker exposure for an amendment of this type has been calculated or assessed on any basis other than in the aggregate?
  - b. If so, please identify each such case.
  - c. Does Commonwealth admit that such exposures are usually calculated and assessed on an aggregate basis?
  - d. If so, does Commonwealth contend that VYNPS is sufficiently different from other cases that worker exposure should be calculated or assessed differently?
  - e. If so, please identify each and every reason why Commonwealth contends VYNPS is different, and the significance that Commonwealth contends attaches to each such difference.

12. Does Commonwealth intend to introduce the testimony of any expert witness in support of its assertion that the EA is deficient because "the EA fails to record individual worker exposure?" If so:

- a. Please identify, by providing the name, address, business affiliation, and fields of expertise, each such expert.
- b. Please state the substance of the opinions which each such expert is expected to give and a summary of the grounds therefor.

13. Does Commonwealth contend that the estimate of worker exposure prepared by Vermont Yankee should be increased to account for "fuel handling accidents?" If so:

- a. Please state the amount of man-rem that should be added to the estimate to account for "fuel handling accidents."
- b. Please describe in detail how Commonwealth calculated or estimated this number.
- c. Identify and state the qualifications of the person or persons who prepared this calculation or estimate to make such a calculation or estimate.
- d. Does Commonwealth contend that, as increased in the manner in which Commonwealth urges, the resultant worker exposure would render the proposed amendment a "major federal action significantly affecting the environment?" If so, please explain in detail the standard that Commonwealth has used to determine when worker exposure constitutes a proposed amendment a "major federal action significantly affecting the environment."

14. Does Commonwealth intend to introduce the testimony of any expert witness in support of its assertions regarding "fuel handling accidents." If so:

- a. Please identify, by providing the name, address, business affiliation, and fields of expertise, each such expert.
- b. Please state the substance of the opinions which each such expert is expected to give and a summary of the grounds therefor.

15. Does Commonwealth contend that the estimate of worker exposure prepared by Vermont Yankee should be increased to account for "crud release?" If so:

- a. Please state the amount of man-rem that should be added to the estimate to account for "crud release."
- b. Please describe in detail how Commonwealth calculated or estimated this number.

- c. Identify and state the qualifications of the person or persons who prepared this calculation or estimate to make such a calculation or estimate.
  - d. Does Commonwealth contend that, as increased in the manner in which Commonwealth urges, the resultant worker exposure would render the proposed amendment a "major federal action significantly affecting the environment?" If so, please explain in detail the standard that Commonwealth has used to determine when worker exposure constitutes a proposed amendment a "major federal action significantly affecting the environment."
16. Does Commonwealth intend to introduce the testimony of any expert witness in support of its assertions regarding "crud release." If so:
- a. Please identify, by providing the name, address, business affiliation, and fields of expertise, each such expert.
  - b. Please state the substance of the opinions which each such expert is expected to give and a summary of the grounds therefor.
17. Does Commonwealth contend that the estimate of worker exposure prepared by Vermont Yankee should be increased to account for "inadvertent pool drainage accidents?" If so:
- a. Please state the amount of man-rem that should be added to the estimate to account for "inadvertent pool drainage accidents."
  - b. Please describe in detail how Commonwealth calculated or estimated this number.
  - c. Identify and state the qualifications of the person or persons who prepared this calculation or estimate to make such a calculation or estimate.
  - d. Does Commonwealth contend that, as increased in the manner in which Commonwealth urges, the resultant worker exposure would render the proposed amendment a "major federal action significantly affecting the environment?" If so, please explain in detail the standard that Commonwealth has used to determine when worker exposure constitutes a proposed amendment a "major federal action significantly affecting the environment."
18. Does Commonwealth intend to introduce the testimony of any expert witness in support of its assertions regarding "inadvertent pool drainage accidents." If so:
- a. Please identify, by providing the name, address, business affiliation, and fields of expertise, each such expert.

- b Please state the substance of the opinions which each such expert is expected to give and a summary of the grounds therefor.

19. Please describe the "alternative of dry cask storage" that Commonwealth contends should be further considered as an alternative to allowance of the proposed amendment.

20. Please state what Commonwealth contends is the capacity of a dry cask suitable for use as an alternative to storage of spent fuel assemblies in the spent fuel pool, or, if Commonwealth contends that more than one type of cask is available, the capacity of each type. Please identify each document or other source of information upon which Commonwealth relies for its information.

21. Please state what Commonwealth contends is the cost of a dry cask suitable for use as an alternative to storage of spent fuel assemblies in the spent fuel pool, or, if Commonwealth contends that more than one type of cask is available, the cost of each type. Please identify each document or other source of information upon which Commonwealth relies for its information.

22. Please state what Commonwealth contends is the availability of a dry cask suitable for use as an alternative to storage of spent fuel assemblies in the spent fuel pool, or, if Commonwealth contends that more than one type of cask is available, the availability of each type. Please identify each document or other source of information upon which Commonwealth relies for its information.

23. Please state how quickly Commonwealth contends that a facility employing dry casks as an alternative to storage of spent fuel assemblies in the spent fuel pool could be completed and ready for use. Please explain how Commonwealth reaches this conclusion, and include in your explanation the values used by Commonwealth for:

- a. Conceptual design.
- b. Final engineering and design.
- c. Preparation of specifications for cask acquisition and cask acquisition.
- d. Cask manufacture.
- e. Site design and land acquisition.
- f. Obtaining of required licenses, permits and approvals from the United States Nuclear Regulatory Commission.
- g. Obtaining of required licenses, permits and approvals from any other federal agency.

- h. Obtaining of required licenses, permits and approvals from the State of Vermont.
- i. Obtaining of required licenses, permits and approvals from the Town of Vernon, Vermont.
- j. Obtaining of required licenses, permits and approvals from any other governmental agency not provided for above.
- k. Construction.

Please explain the basis for each of your responses to the foregoing.

24. How much additional land does Commonwealth contend would be required to be acquired and annexed to the existing VYNPS site in order to accommodate the alternative for which Commonwealth contends? Please explain how Commonwealth has determined the land requirement.

25. If a dry cask alternative were to be proposed or pursued by VYNPC, would Commonwealth agree not to oppose the granting of all required licenses, permits and approvals in connection with such alternative?

26. If a dry cask alternative were to be proposed or pursued by VYNPC, would Commonwealth agree to support the granting of all required licenses, permits and approvals in connection with such alternative?

27. If a dry cask alternative were to be proposed or pursued by VYNPC, would Commonwealth agree not to oppose the recovery of the additional costs of such alternative?

28. If a dry cask alternative were to be proposed or pursued by VYNPC, would Commonwealth agree to support the recovery of the additional costs of such alternative?

29. Does Commonwealth contend that the proposed license amendment involves unresolved conflicts concerning the alternative uses of available resources? If so, please:

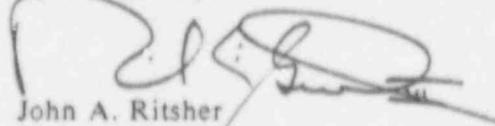
- a. Identify each resource.
- b. Identify each alternative use of each resource.
- c. Explain why Commonwealth contends that there exists an unresolved conflict concerning alternative uses of each resource.

30. Does Commonwealth contend that the dry cask alternative it espouses would be environmentally preferable to implementation of the spent fuel pool expansion as proposed in the pending license amendment? If so:

- a. Please identify each environmental criterion on which Commonwealth contends its alternative would be preferable.

- b. For each such criterion, state what Commonwealth contends would be the environmental effects of its dry cask alternative?
  - c. For each such criterion, state what Commonwealth contends would be the environmental effects of the proposed amendment?
  - d. Identify each environmental criterion in addition to those identified by Commonwealth in response to subpart (a) of this interrogatory of which Commonwealth is aware on the basis of which its dry cask alternative and the proposed amendment might be compared.
  - e. For each such criterion, state what Commonwealth contends would be the environmental effects of its dry cask alternative?
  - f. For each such criterion, state what Commonwealth contends would be the environmental effects of the proposed amendment?
31. Is Commonwealth aware of any written environmental comparison of any dry cask alternative to any form of spent fuel pool capacity expansion, whether heretofore published or not? If so, please:
- a. Identify each such comparison.
  - b. State whether Commonwealth agrees with the conclusions stated in the comparison.
  - c. Identify any conclusion stated in the comparison with which Commonwealth does not agree.
  - d. Explain all of the reasons why Commonwealth does not agree with any such conclusion.

By its attorneys,



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CERTIFICATE OF SERVICE DEC -5 10:20

I, R. K. Gad III, hereby certify that on November 28, 1988, I made service of the within document in accordance with the rules of the Commission by mailing a copy thereof postage prepaid to the following:

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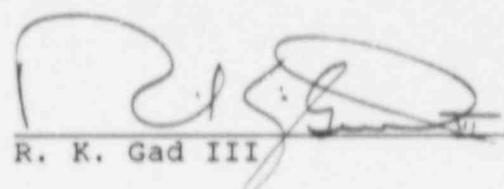
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Adjudicatory File  
Atomic Safety and Licensing  
Board Panel Docket (2 copies)  
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