

## RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

before the

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

Docket Nos. 50-445-OL  
50-446-OLTEXAS UTILITIES GENERATING )  
COMPANY et al. )(Comanche Peak Steam Electric )  
Station, Units 1 and 2) )(Application for an  
Operating License)APPLICANTS' INTERROGATORIES TO INTERVENOR  
(Set No. 1987-4)

Pursuant to 10 C.F.R. § 2.740 ff the Applicants  
propound the following interrogatories to the Intervenor  
CASE.

Definitions

As used in these Interrogatories, the following terms  
have the following meanings:

"Identify" with respect to an expert witness means to  
state:

- (a) The name, mailing address, age and present  
professional or employment affiliation of the  
person;

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- (b) The profession or occupation and field of claimed expertise of the person;
- (c) The history of formal education or training of the person, including, but not limited to, (i) the name and address of each school where the person received special education or training, (ii) the date those schools were attended, and (iii) a description of each degree earned, including the date and granting institution;
- (d) The history of specialized training in the area of claimed expertise, including, but not limited to, (i) the type of training received, (ii) the name and address of the institution providing this training, and (iii) the dates of such training;
- (e) The history of membership of the person in any professional or trade association in the area in the claimed expertise, including, but not limited to, (i) the name of each professional or trade association, (ii) the dates of membership, and (iii) a description of each office held in each association;
- (f) A list of publications of any kind by the person in the area of claimed expertise, including, but not limited to, (i) the title and subject matter, (ii) the name and address of the publisher, and (iii) the date of publication;

- (g) A list of any and all licenses in the area of claimed expertise, including, but not limited to, (i) the designation of the authority by which the license was issued, (ii) the date(s) of the licensing, (iii) the requirements for obtaining each license, and (iv) the manner by which these requirements were met;
- (h) The amount of time the person has worked in the field of claimed expertise, stating periods where work was other than on a full-time basis;
- (i) The name and address of every person, or every corporation or other institution, that has employed the person within the last ten years of employment;
- (j) All periods of claimed self-employment, including a description of all duties and responsibilities thereof;
- (k) All previous experience in the field of claimed expertise which involved problems, analyses or studies similar to those concerning which the person is expected to testify in this proceeding;
- (l) All other litigation in which the person has been consulted, specifying those matters in which the person has testified, including the name of the case or matter and the court or other forum in which testimony was given; and



(m) Any other experience in the field of claimed expertise.

"Identify," with respect to a document, means to state its date, its author, the type of document, its title (if any) and its present location.

"Applicants' Response" means "Applicants' Response to Board Concerns" filed December 1, 1986.

"CASE's Partial Response" means "CASE's Partial Response to Applicants' 12/1/86 Response to Board Concerns" filed December 30, 1986.

"Affidavit of Jack Doyle" means "Affidavit of CASE witness Jack Doyle" appended to CASE's Partial Response.

"Second Version of the Affidavit of Jack Doyle" means the Affidavit of Jack Doyle as changed and filed on December 31, 1986, and as changed, sworn to, and filed again on January 5, 1987.

Wherever appearing in these Interrogatories, the masculine form is defined to include the feminine and/or the neuter and the singular form is defined to include the plural wherever necessary to apply the context to any factual situation that may exist or to render the Interrogatory more inclusive in scope.

#### INTERROGATORIES

1. Does the Intervenor agree with the statement made in paragraph 1 of the Affidavit of Jack Doyle? If not,



please specify the Intervenor's reasons for disagreement.

2. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please:

- (i) identify each expert witness whom the Intervenor intends to present with respect to any such issue;
- (ii) state the substance of the facts to which each expert witness is expected to testify;
- (iii) state the substance of the opinion or opinions to which each expert witness is expected to testify;
- (iv) provide a summary of the grounds for each opinion to which each expert witness is expected to testify.

3. Does the Intervenor agree with each of the statements made in paragraph 2 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Describe every one of what CASE contends are "NRC Region IV's deviations from their intended mission."
  - (b) Describe every one of what CASE contends are "the more recent problems contained in this report."
- 4. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
- 5. Does the Intervenor agree with each of the statements made in paragraph 3 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
  - (a) State how much time would be adequate, in the Intervenor's view, "at the end of the program to ascertain what program was utilized and what it was utilized for."
  - (b) State the reason(s) the Intervenor arrived at its answer to subpart (a).

- (c) Answer the question posed: "[I]f the Plan is so flexible out of necessity, what impact does this flexibility have on areas completed prior to changes in the program?"
6. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
7. Does the Intervenor agree with each of the statements made in paragraph 4 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Describe what CASE contends is the "multiplicity of errors now revealed at CPSES" and include in the Intervenor's answer a description of each such "error" and when it was "revealed."
  - (b) Describe the Intervenor's position, if any, on "what is necessary to correct the multiplicity of errors now revealed at CPSES."
  - (c) Describe the basis of the Intervenor's claim of unfairness, including in the Intervenor's answer a



description of the amount and sources of the  
Intervenor's resources.

8. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
9. Does the Intervenor agree with each of the statements made in paragraph 5 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If so, please explain the statement:  
"If all parties work concurrently (as much as possible), the hearing process will be shortened . . ."
10. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
11. Does the Intervenor agree with each of the statements made in paragraph 6 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor

disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

(a) Describe the Intervenor's position, if any, on what was "the cause which led to this extensive broadening of the scope over that for which CPRT was initially created."

(b) Describe the Intervenor's position, if any, on whether it is better to "revis[e] the original action plan rather than creat[e] new parallel plans."

12. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

13. Does the Intervenor agree with each of the statements made in paragraph 7 of Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

(a) Describe what CASE contends to be Applicants' "failure to design and construct a facility which

could stand the test of comparison to their own commitments," and include in the Intervenor's answer a complete list of alleged specific design and/or construction "failures."

- (b) Explain the basis for the Intervenor's belief that "Applicants actually set up their program in an environment of naivete, believing that the only problems that existed were to supply answers to the questions posed by the NRC's Technical Review Team."
  - (c) Explain the meaning of CASE's assertion: "The alterations to the program were the result of coupling the design issues to the CPRT vehicle, which was assumed by Applicants to be capable of proving that there were no problems at CPSES . . . ."
  - (d) State the Intervenor's position, if any, on whether the "CPRT vehicle" is capable of proving that there were no problems at CPSES. Explain all the bases upon which CASE relies to support that position.
14. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified



negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

15. Does the Intervenor agree with each of the statements made in paragraph 8 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Describe the Intervenor's understanding of the purpose of Action Plan I.a.4.
- (b) Describe what CASE contends to be the connection between any purpose(s) of Action Plan I.a.4 and "allegations [CASE made] about the design and construction of CPSES."

16. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

17. Does the Intervenor agree with each of the statements in paragraph 9 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for

disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the basis for the statement: "In the case of commercial complexes of similar scope, the ratio of error for designed structures is only a minor percentage of the ratio found at CPSES."
- (b) Supply all of the names and locations of "commercial complexes of similar scope" used in the Intervenor's comparison, the "ratios of error" of those structures, and "ratio[s] of error" of Comanche Peak, upon which CASE relies to support this proposition.
- (c) State and explain the basis for Intervenor's definition of a "minor percentage."
- (d) State what CASE contends to be the answer to the question posed: "[W]hat were the basic causes which led to the necessity for the forming and expanding of the mission of CPSES and how do these causes reflect on future decisions by management at CPSES?" and include in the Intervenor's answer the Intervenor's definition of "the mission of CPSES."

18. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If

the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

19. Does the Intervenor agree with each of the statements made in paragraph 10 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
20. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
21. Does the Intervenor agree with each of the statements made in paragraph 11 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
  - (a) Explain the Intervenor's statement: "The concept of engineering is such that, at completion, a reasonable party may state with full confidence that for each element an analysis has been completed and is within the code allowables and



therefore will not fail within the limits of the parameters utilized in the design."

- (b) Explain what CASE means by the terms "element," "analysis," and "code allowables," and identify whose concept of engineering is being described.
- (c) Define and quantify the measure "full confidence." Identify any codes, standards, treatises, or other authorities upon which CASE relies to support this contention.
- (d) Explain the Intervenor's basis for its conclusion that: "Questionable engineering is often to be found when unique procedures are introduced because unique structures require non-standard procedures or an advancement in the state of the art of engineering." Identify each other occasion involving what CASE contends is "questionable engineering."
- (e) State the Intervenor's basis its implied assertion that Applicants have engaged in or tolerated "guessing" as a standard engineering procedure.
- (f) Explain how, in the Intervenor's view, "Applicants are failing to put the proper emphasis on the non-systematic failure."

22. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack

Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

23. Does the Intervenor agree with each of the statements made in paragraph 12 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the Intervenor's statement: "The potential of this type of localized error is not debatable, particularly when a fault tree analysis has not been performed to determine the probability of major accident."
- (b) State whether the Intervenor disagrees with any part of the quote from Applicants' Response appearing in paragraph 12 of the Affidavit of Jack Doyle. If the answer is anything other than an unqualified negative, state the Intervenor's basis for disagreeing.

24. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified

negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

25. Does the Intervenor agree with each of the statements made in paragraph 13 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the Intervenor's basis for its statement:

"[T]here is no adequate substitute for Appendix B."

- (b) Explain what the Intervenor contends is the "intent" of the provisions of Appendix B and what the Intervenor means by the statement:

"[Applicants] must at a minimum comply with the intent of the provisions contained therein."

26. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
27. Does the Intervenor agree with each of the statements made in paragraph 14 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor



disagrees with and specify the Intervenor's reasons for disagreement.

28. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
29. Does the Intervenor agree with each of the statements made in paragraph 15 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State whether the Intervenor disagrees with any part of the quote from Applicants' Response appearing in paragraph 15 of the Affidavit of Jack Doyle, and if so, state all of the reasons why the Intervenor disagrees.
  - (b) Describe the Intervenor's position, if any, on the kind of "explanation" CASE contends is required for the "lower level confidence of detecting rarer phenomenon."
30. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters

subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

31. Does the Intervenor agree with each of the statements made in paragraph 16 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State all the "principal reasons" that CASE contends "Applicants are facing this major corrective action program."
- (b) Describe each of what CASE contends are the "several phony explanations which are in actuality meaningless because no QA/QC program has ever done (or was ever designed to do) what they're [the Applicants are] talking about..."
- (c) Describe each "vehicle" other than "QA-based" program which CASE contends "is available within the overall program to uncover root cause or generic implications."

32. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack

Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

33. Does the Intervenor agree with each of the statements made in paragraph 17 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the Intervenor's reasons for its position that "[f]or any product which has been extensively revised, we must have a history of all of the problems which collectively resulted in the need to apply corrective action after completion."
- (b) Explain the Intervenor's understanding of safety-significance.
- (c) State the basis of CASE's description of what CASE contends is "Applicants' attitude when faced with a fait accompli." Describe what CASE contends to be each such fait accompli.
- (d) Explain "fault tree analysis" and the Intervenor's position on the need for it.
- (e) Explain how the term safety-significant, in the Intervenor's view, "in the real world of CPSES problems, means indeterminacy."



34. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
35. Does the Intervenor agree with each of the statements made in paragraph 18 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain how, in the Intervenor's view, "[t]he interpretation of safety significance is flawed" and what benefit the Intervenor contends would be gained by "a fault tree analysis based on the life of the plant."
  - (b) Explain what the Intervenor means by the statement: "There is also, while not mentioned specifically, the preemptive elimination of generic categories of error by way of categorizing; for example: latest industry practice; prudence; etc. (see above) -- and it is Applicants' desire that CASE and the Board be

barred from questioning a vast number of problems assigned to this limbo created by Applicants."

- (c) Describe each one of the components to which CASE refers in the statement: "we have a large number of safety-related components which were incorrectly designed or were installed, which were not only indeterminate at the time, but are still indeterminate after massive testing and analytic procedures which press the state of the art, and which are now being swept under a Persian rug." Describe precisely how CASE contends they are being swept under a rug.

36. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
37. Does the Intervenor agree with each of the statements made in paragraph 19 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain why CASE contends the Atomic Safety and Licensing Appeal Board decision in Pacific Gas & Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), ALAB-763, 18 NRC 571, 593 and n.86 (1984) should not be cited by Applicants.
  - (b) State whether the Intervenor contends it is either possible or required that construction be completely error-free.
  - (c) Explain what "interpretation" is required in the Intervenor's view that "[I]t is the negative view of Applicants which requires some interpretation . . . ."
  - (d) Describe each of the "main reasons CASE believes that it is necessary to determine root cause and management implication."
  - (e) Explain the difference between "root cause" and "management implication," in the Intervenor's view.
38. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.



39. Does the Intervenor agree with each of the statements made in paragraph 20 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please explain the basis for the Intervenor's position that, with respect to pipe supports, "the reinspection program does not relieve Applicants from determining what errors existed prior to the reinspection and why they existed."
40. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
41. Does the Intervenor agree with the statement made in paragraph 21 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please explain the meaning of the Intervenor's statement: "How does such program lay waste to a fait accompli (the fact that an error was made) which is descriptive in nature and can only be

purged if the error was falsely assumed and in fact no error existed?"

42. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
43. Does the Intervenor agree with each of the statements made in paragraph 22 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain the basis for the Intervenor's statement:  
"[I]t was the root cause, generic implications, and peripheral impact of the original supports that CASE believes were within the scope of the Board's Order and not necessarily limited to superseding corrected supports." Identify the "Order" to which CASE refers and, if it is more than one page long, the portions to which CASE refers.
  - (b) State whether it is the Intervenor's position that, in the paragraph quoted from Applicants'

Response, Applicants have established "de facto mootness."

- (c) State the basis for the claim that "[t]he roughshod arrogance of CPSES management is directly affecting the course of justice." Identify each act that CASE contends is "roughshod arrogance."
- (d) Explain the meaning of the statement: "In short, Applicants' position is clear: corporate policy justifies the means." Identify what CASE contends to be "corporate policy" and the basis for each assertion.
- (e) Describe the Intervenor's view of "the intent of the Congress in the Atomic Energy Act of 1954, as amended."
- (f) Explain what the Intervenor means by "the rules of random disorder."

- 44. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
- 45. Does the Intervenor agree with each of the statements made in paragraph 23 of the Affidavit of Jack Doyle?



If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Identify each and every basis for CASE's contentions.
- (b) State whether the Intervenor disagrees with the last sentence in the quote from Applicants' Response, and, if so, the Intervenor's basis for disagreement.

46. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

47. Does the Intervenor agree with each of the statements made in paragraph 24 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) List each of those CASE contends is a "weak witness" and how CASE contends they should be "classified."

- (b) State the Intervenor's basis for asserting that "many of these people are supervising the various components in the CPRT program or Applicants' corrective actions to the CPRT's finding, " and include in the Intervenor's answer the names of the people referred to, their "supervising" positions, and the specific "components" they "are supervising."
- (c) State the Intervenor's basis for its assertion that "others of these people were accepted by Applicants as their best experts," and include in the Intervenor's answer the names of the people the Intervenor refers to and what the Intervenor contends are their positions as "best experts."
- (d) State to whom the Intervenor refers as "this management," in the last sentence of paragraph 24 of Affidavit of Jack Doyle.

48. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
49. Does the Intervenor agree with each of the statements made in paragraph 25 of the Affidavit of Jack Doyle?

If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.

50. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
51. Does the Intervenor agree with each of the statements in paragraph 26 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State the Intervenor's basis for its allegation that "Applicants' answer is designed to cover up the actual conditions which existed at CPSES prior to 1985 . . . ."
  - (b) Describe the Intervenor's position, if any, as to whether Applicants must bear what CASE contends is "the real burden . . . [of] explaining their conduct in over four years of defending the indefensible."



52. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
53. Does the Intervenor agree with each of the statements made in paragraph 27 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State whether a part of the first sentence is missing and, if so, supply that part.
  - (b) Describe why it appears to the Intervenor that "Applicants [are] forcing the hearings in the directions which they desire without regard for the Board's Orders," and include in the Intervenor's answer the specific Orders which the Intervenor claims Applicants ignore.
  - (c) Describe what CASE contends are "the directions which [the Applicants] desire" that the hearings take. For each such direction, state whether CASE contends the direction is contrary to NRC

regulation or precedent, and, if so, cite each such regulation or precedent.

54. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
55. Does the Intervenor agree with each of the statements made in paragraph 28 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State whether the Intervenor disagrees with any part of the quote from Applicants' Response and, if so, the reasons for the Intervenor's disagreement.
  - (b) Explain what CASE contends was "incorrectly accepted."
56. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified

negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

57. Does the Intervenor agree with each of the statements made in paragraph 29 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State whether the Intervenor contends that either the Applicants' Results Report or the NRC Staff's findings were wrong and state the basis for the Intervenor's contention.
  - (b) Explain what the Intervenor means by its statement: "[T]his would lead us down a new avenue on the credibility of the NRC Staff."
  - (c) State the Intervenor's position, if any, "on the credibility of the NRC Staff."
  - (d) State the basis for the Intervenor's allegation that: "Applicants have a propensity for designing a rationale to discard problems and, once this verbal design is developed, proceeding as if their rationale were unchallengeable." Identify each and every "problem" to which CASE contends this assertion applies.
58. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters



subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

59. Does the Intervenor agree with each of the statements made in paragraph 30 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the Intervenor's position, if any, on the sample sizes used by Applicants.
- (b) Explain what sample size(s) the Intervenor would find acceptable and why.
- (c) State Mr. Doyle's qualifications, if any, in statistical analysis.

60. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

61. Does the Intervenor agree with each of the statements made in paragraph 31 of the Affidavit of Jack Doyle?

If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State the basis for the Intervenor's contention that "perhaps the most important point" is "why the rolled leads were accepted."
- (b) Identify the part(s) of Applicants' Response that the Intervenor claims is (are) "rhetoric."
- (c) Define "rhetoric" as used in the Intervenor's statement.

62. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
63. Does the Intervenor agree with each of the statements made in paragraph 32 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
64. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack

Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

65. Does the Intervenor agree with each of the statements made in paragraph 33 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Describe the Intervenor's understanding of the "Action Plan VII.c screen" referred to in the statement the Intervenor quoted from Applicants' Response.
- (b) Describe the Intervenor's understanding of the ability of the Action Plan VII.c screen to detect "a systematic problem capable of causing an undetected deficiency in those other populations," referred to in the statement the Intervenor quoted from Applicants' Response.
- (c) Explain what the Intervenor means by "District of Columbia circles."

66. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If



the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

67. Does the Intervenor agree with each of the statements made in paragraph 34 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain what the Intervenor contends is "veiled" by the statement quoted from Applicants' Response.
- (b) Explain the Intervenor's position, if any, on what the Intervenor contends is the Applicants' "culpability for the mess that has occupied our time and resources for over four years."

68. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

69. Does the Intervenor agree with each of the statements made in paragraph 35 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for

disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State each and every basis for agreeing with the statements.
- (b) State whether the Intervenor believes that the statement quoted from Applicants' Response is false and, if so, the Intervenor's reason for its belief.
- (c) State the basis for the Intervenor's allegation that "Applicants lack the commitment to require compliance with the codes and regulations to the letter required, much less going beyond the minimum requirements."
- (d) Describe the Intervenor's understanding of the "minimum requirements."

70. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
71. Does the Intervenor agree with each of the statements made in paragraph 36 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for

disagreement. If the Intervenor agrees with any of the statements made, please state whether the Intervenor believes that it is accepted among experts in the QA/QC fields that one of the causes of degraded inspector reliability is repetition. If not, explain the Intervenor's basis for disagreement.

72. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
73. Does the Intervenor agree with each of the statements made in paragraph 37 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain the Intervenor's basis for the claim that "It cannot be assumed that unbiased scrutiny by the NRC Staff is a credible argument . . . ."
  - (b) Explain the Intervenor's position, if any, on how the NRC Staff's unbiased scrutiny can be challenged "in light of the OIA Report."



- (c) Describe the Intervenor's position, if any, on whether NRC Staff scrutiny would tend to reduce the potential for inspector oversight.
74. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
75. Does the Intervenor agree with each of the statements made in paragraph 38 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain the Intervenor's position, if any, on whether a quantitative statement about safety could ever be proved or disproved.
- (b) State all the reasons why the Intervenor "find[s] this statement incredible."
76. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified

negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

77. Does the Intervenor agree with each of the statements made in paragraph 39 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State all the reasons for which waivers, exceptions, or FSAR amendments may properly be approved by the NRC Staff.
- (b) State the Intervenor's basis for asserting: "And there, I suppose, are another class of error which are closed to discussion by order of the Applicants," and identify the "class of error."

78. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

79. Does the Intervenor agree with each of the statements made in paragraph 40 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for

disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State what CASE contends is "the requirement of the Board for pre-1985 issues."
- (b) Identify each and every regulation, precedent, or other matter that CASE contends is authority for the existence of such "requirement."

80. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
81. Does the Intervenor agree with each of the statements made in paragraph 41 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
82. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.



83. Does the Intervenor agree with each of the statements made in paragraph 42 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain the meaning of the Intervenor's statement:  
"[T]he determination of safety-significance or non-safety significance individually and particularly collectively over the life of the plant cannot be proved . . ."
  - (b) Explain each specific way in which, according to the Intervenor, "Applicants [have] taken it upon themselves to eliminate large numbers of errors in design and construction based on an ambiguous loophole of their own design . . ."
84. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
85. Does the Intervenor agree with the statement made in paragraph 43 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for

- disagreement. If the Intervenor agrees with the statement made, please state what if any significance, in the Intervenor's view, such "omissions" could have.
86. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
87. Does the Intervenor agree with each of the statements made in paragraph 44 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State the basis for the Intervenor's assertion that "Applicants are developing a new plant."
  - (b) State whether CASE supports or opposes Applicants "developing a new plant" and the reason(s) therefor.
  - (c) Explain the difference between what CASE asserts is the "new plant" and the "original plant" and how, in the Intervenor's view, this could affect the collective evaluation process described in the Intervenor's quote from Applicants' Response.

88. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
89. Does the Intervenor agree with each of the statements made in paragraph 45 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please answer the question posed, based on the Intervenor's understanding of the Program Plan: "Are Applicants declaring that management's role, if any, is not open to question . . .?"
90. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
91. Does the Intervenor agree with each of the statements made in paragraph 46 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor



disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the Intervenor's basis for calling the CPRT "the perpetrator."
- (b) Describe the Intervenor's position, if any, on what the Intervenor terms the "value [of] the original conclusions derived by Cygna for their Phases 1 and 2 independent assessment," and explain how these conclusions are, in the Intervenor's view, of greater value than the "conclusions by the perpetrator."
- (c) Explain the Intervenor's basis for its assertion that "[c]ataloging of failures and cause is what is required."
- (d) State the basis for the Intervenor's allegation that Applicants are not "keep[ing] the Board advised of potentially significant matters relating to these proceedings" and "have chosen instead to proceed sub rosa."

92. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified

negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

93. Does the Intervenor agree with each of the statements made in paragraph 47 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain what the Intervenor means by "the plant as it was presented for licensing . . . has been one of the thrusts of the hearings . . ."
- (b) Define the Intervenor's term "the revised plant."
- (c) List what CASE contends are the "persistent actions by others" which resulted in what CASE calls "the revised plant."

94. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

95. Does the Intervenor agree with each of the statements made in paragraph 48 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for

disagreement. If the Intervenor agrees with any of the statements made, please:

(a) Explain the Intervenor's basis for its statement:

"Applicants are sidestepping the issue, since coatings were safety related when they were applied, and management's role in the original violations must be documented."

(b) State what CASE contends to be "management's role" and all bases for so contending. Identify what is meant by "management."

(c) Explain the basis for the Intervenor's statement that the root cause and management's possible role in the original violation must be documented."

95. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

97. Does the Intervenor agree with the statement made in paragraph 49 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement.

98. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters



subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

99. Does the Intervenor agree with the statement made in paragraph 50 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please:

(a) Describe the Intervenor's position, if any, on the Applicants' "attempt[ ] to establish the rules by which they [the Applicants] will proceed," and include in the Intervenor's answer a description of the Intervenor's understanding of those "rules."

(b) Does CASE contend that it has never during the course of these proceedings "attempted to establish the rules by which they will proceed"? If it contends it has ever done so, identify each such case and explain why it was permissible.

(c) Describe the Intervenor's position, if any, on the proper rules by which the Applicants should proceed.

100. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters

subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

101. Does the Intervenor agree with the statement made in paragraph 51 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please:
- (a) Provide all the bases on which CASE relies to support the proposition that "Applicants' attempt to assume the credit is devious at best," and explain what credit the Intervenor believes has been assumed, how it has been assumed, and how this could be termed "devious."
102. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
103. Does the Intervenor agree with each of the statements made in paragraph 52 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor

disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Identify the "previous statements" the Intervenor refers to.
- (b) Explain the meaning of the Intervenor's statement:  
"Having stated this, the problem trail itself is safety-significant and, by definition, so is each error which is a party to this trail."

104. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

105. Does the Intervenor agree with the statement made in paragraph 53 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please:

- (a) State the Intervenor's understanding of the concern addressed in the quote from Applicants' Response.



- (b) State whether the Intervenor agrees or disagrees with the quote from Applicant's Response and give the Intervenor's reason therefor.

106. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
107. Does the Intervenor agree with each of the statements made in paragraph 54 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Give the Intervenor's basis for its statement:  
"QC bought off incorrect landings."
  - (b) State the Intervenor's position, if any, on the relevance of an instance where CASE contends "QC bought off incorrect landings" which could not result in circuits functioning improperly.
108. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory. If

the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

109. Does the Intervenor agree with the statement made in paragraph 55 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain what the Intervenor means by "an evaluation of the QC position in the question."
- (b) State the Intervenor's position, if any, on whether "[t]he stated propositions . . . are not true for the investigation of terminations in connection with the populations of cables being investigated under Action Plan VII.c."

110. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

111. Does the Intervenor agree with each of the statements made in paragraph 56 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor

disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please state whether the Intervenor disagrees with the second sentence quoted from Applicants' Response and each reason therefor.

112. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
113. Does the Intervenor agree with the statement made in paragraph 57 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) State the basis for the Intervenor's assertion that "the fact that undetected deviations exist may not suggest inadequacy of sampling program . . ." and yet how it "also does not add to confidence in the implementation program."
  - (b) State the questions that the Intervenor refers to in the statement "and also allows room for questions."



114. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
115. Does the Intervenor agree with each of the statements made in paragraph 58 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
116. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
117. Does the Intervenor agree with each of the statements made in paragraph 59 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Support the Intervenor's assertion that "even Applicants now know [that designs based on engineering judgment] were at best indeterminate," and identify any and all documents or conversations which CASE contends support this assertion.
- (b) Identify each document in which, or each occasion on which, in the Intervenor's opinion, "the NRC Staff has accepted by acquiescence Applicants' position on this issue of deletion from consideration by declaring issues of error to be moot due to non-safety significance."

118. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

119. Does the Intervenor agree with each of the statements made in paragraph 60 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the basis of CASE's assertion that "the initial and indeed the ongoing efforts to design and construct CPSES have failed to materialize "
- (b) Support the Intervenor's allegation that "the major safety-significant deficiency of CPSES -- [is] incompetence," listing the individuals the Intervenor alleges are incompetent, the reasons for each such allegation, and the identity of all documents which the Intervenor contends could support each such allegation.

120. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

121. Does the Intervenor agree with each of the statements made in paragraph 61 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Explain the meaning of the Intervenor's statement:  
"In both cases, effort was required to prove the error to be of less than major importance . . ."



and explain why the Intervenor concludes  
"therefore, it is up to the Applicants to  
chronicle what caused the error and its  
impact . . ."

122. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
123. Does the Intervenor agree with the statement made in paragraph 62 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please support the Intervenor's allegation that "Applicants find no significant importance in error."
124. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

125. Does the Intervenor agree with the statement made in paragraph 63 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please:

- (a) Identify the "Applicants' procedures" by which the Intervenor claims "many deviations get laundered out due to the semantic detergent."
- (b) Identify the "Applicants' procedures" by which the Intervenor claims "deficiencies [get laundered out] by preemption by Applicants."

126. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

127. Does the Intervenor agree with each of the statements made in paragraph 64 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) Support the Intervenor's assertion that anyone holds that "only errors that have obvious major

impact on the safe operation of the plant are of consequence."

- (b) Support the Intervenor's assertion that "the reinspection is managed by those who initially built the plant."

128. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

129. Does the Intervenor agree with the statement made in paragraph 65 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement. If the Intervenor agrees with the statement made, please:

- (a) State whether the Intervenor believes that it is not the intention of CPRT to approve flawed assessments of root cause.
- (b) State whether the Intervenor believes that the intention of CPRT is to ensure that root cause is not skewed.

130. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack



Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

131. Does the Intervenor agree with each of the statements made in paragraph 66 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State what was "[the Intervenor's] point at item 16 preceding" and how the Intervenor contends the quote from Applicants' Response is a "prime example" of that point.
- (b) Explain what CASE contends to be the import of the statement: "A single component of any program is not sensitized to answer all questions which the total program is supposedly designed to cover."

132. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

133. Does the Intervenor agree with each of the statements made in paragraph 67 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please identify the "orders" to which the Intervenor refers in the statement: " . . . Applicants have been under Staff orders . . . to look into root cause, generic implications, and management's role . . . ."
134. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
135. Does the Intervenor agree with each of the statements made in paragraph 68 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
136. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If

the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

137. Does the Intervenor agree with each of the statements made in paragraph 69 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
138. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
139. Does the Intervenor agree with each of the statements made in paragraph 70 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
140. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified



negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

141. Does the Intervenor agree with each of the statements made in paragraph 71 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.
142. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
143. Does the Intervenor agree with each of the statements made in paragraph 72 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:
- (a) Explain the meaning of the Intervenor's statement: "The removal was a matter of expediency, not conservatism, because these items could not have been counted as part of an active sample without raising the error ratio of such sample," and state the Intervenor's position, if any, on the

relevance of what CASE contends to be an "error ratio."

144. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
145. Does the Intervenor agree with the statement made in paragraph 73 of the Affidavit of Jack Doyle? If not, please specify the Intervenor's reasons for disagreement.
146. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
147. Does the Intervenor agree with each of the statements made in paragraph 74 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State the basis for the Intervenor's assertion of "the fact that some of management personnel have the ability to direct CPRT activities without accountability."
- (b) Support the Intervenor's allegation that "[o]n this point, Applicants have consistently displayed a reluctance to be candid; that is, whenever management's role is questioned."

148. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

149. Does the Intervenor agree with each of the statements made in paragraph 76 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement.

150. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified



negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

151. Does the Intervenor agree with each of the statements made in paragraph 77 of the Affidavit of Jack Doyle, as it was originally sworn to and filed? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

(a) Explain the basis for the Intervenor's statement:

"Although not contained in a specific statement in Applicants' Response but related to their mindset, Applicants' position before the Board on the numerous errors in design and engineering of pipe supports at CPSES is legendary."

(b) Describe each of the "cases" referred to in the Intervenor's assertion: "But in many cases, their defense is not only debatable, it is highly questionable."

152. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.

153. Does the Intervenor agree with each of the statements under the heading "In conclusion:" on pages 53 to 55 of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please:

- (a) State whether Applicants' Response is the only source for the Intervenor's conclusions about what CASE terms "Applicants' thinking and their position," and identify any other source.
- (b) Explain how each of the following terms are, in the Intervenor's opinion, "designed to eliminate errors from serious consideration . . . : (1) prudence; (2) latest industry practice; (3) safety significance; etc."
- (c) Explain the Intervenor's view, if any, on whether Applicants are pursuing non-systematic errors.
- (d) State what the Intervenor means by "pursuing non-systematic errors with enthusiasm" and explain how, in the Intervenor's opinion, Applicants fail to do so.
- (e) State whether the Intervenor disagrees with the Applicants' view of "what is to be considered for obtaining an operating license" and the reasons for any such disagreement.

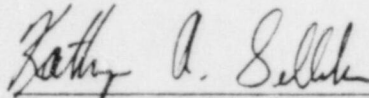
- (f) State whether the Intervenor found Applicants' Response to be unduly complicated and identify the passages for which the Intervenor needs further explanation.
- (g) State whether the Intervenor contends Applicants are "under a handicap due to a lack of understanding of the requirements of Congress as expressed in the Atomic Energy Act, as amended, and codified by the NRC in 10 CFR Part 50, Appendices A and B . . . ." If so, please:
- (1) Explain the requirements of Congress as expressed in the Atomic Energy Act, which the Intervenor believes Applicants fail to understand.
  - (2) Explain the requirements of Congress "as codified by the NRC in 10 CFR Part 50, Appendices A and B", which the Intervenor believes Applicants fail to understand.
- (h) State the basis for the Intervenor's allegation that "[Applicants] do not wish to be confused by the introduction of facts; and among these facts are how extensive were the errors incorporated in safety-related components at CPSES . . . ."
- (i) Provide a complete list of what CASE contends is "the vast catalog of designer words."



- (j) Detail what CASE contends is "Applicants' track record for lack of candor."
  - (k) State each reason for the Intervenor's conclusion that "[Applicants] do not have a program equivalent to 10 CFR Part 50, Appendix B . . . ."
  - (l) State each reason for the Intervenor's conclusion that "[Applicants] do not have a program equivalent to . . . 10 CFR part 50, Appendix A."
154. Does the Intervenor intend to offer the testimony of any expert witness with respect to any of the matters subsumed by the paragraph of the Affidavit of Jack Doyle referred to in the preceding Interrogatory? If the answer is anything other than an unqualified negative, please answer Interrogatory No. 2 subparts (i) through (iv) for each such issue.
155. Does the Intervenor agree with each of the statements made in paragraph 77 in the Second Version of the Affidavit of Jack Doyle? If not, please identify which statements the Intervenor disagrees with and specify the Intervenor's reasons for disagreement. If the Intervenor agrees with any of the statements made, please state the basis for the Intervenor's allegation that "the stress ratio which was finally arrived at by

Applicants is within a hairline of catastrophic failure  
(concrete has effectively no ductility)."

By their attorneys,



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CERTIFICATE OF SERVICE

'87 FEB 24 AM 11:38

I, Kathryn A. Selleck, one of the attorneys for the Applicants herein, hereby certify that on February 18, 1987, I made service of the within document by mailing copies thereof, postage prepaid, to:

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