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RELATED CORRESPONDENCE

February 8, 1985

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF THE SECRETARY
GENERAL INVESTIGATIVE
DIVISION

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	Docket No. 50-400 OL
AND NORTH CAROLINA EASTERN)	
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear)	
Power Plant))	

APPLICANTS' INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS
TO WELLS EDDLEMAN (CONTENTION 41-G)

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that intervenor Wells Eddleman answer in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the responses to the interrogatories below. Under the Commission's Rules of Practice, answers or objections to these interrogatories must be served within 14 days after service of the interrogatories; responses or objections to the request for production of documents must be served within 30 days after service of the request.

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These interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. §§ 2.740(e), should Mr. Eddleman or any individual acting on his behalf obtain any new or differing information responsive to these interrogatories. The request for production of documents is also continuing in nature and Mr. Eddleman must produce immediately any additional documents he, or any individual acting on his behalf, obtains which are responsive to the request, in accordance with the provisions of 10 C.F.R. § 2.740(e).

Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum, transcript, report, handwritten notes, test data) and provide the following information as applicable: document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also state the portion or portions of the document (whether section(s), chapter(s), or page(s)) upon which Mr. Eddleman relies.

Definitions: As used hereinafter, the following definitions shall apply:

"Applicants" is intended to encompass Carolina Power & Light Company, North Carolina Eastern Municipal Power Agency and their contractors for the Harris Plant.

"Document(s)" means all writings and records of every type in the possession, control or custody of Mr. Eddleman, Mr. Chan

Van Vo or any individual acting on behalf of either of them, including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings and all other writings or recordings of any kind; "document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody, or control of Mr. Eddleman or Mr. Chan Van Vo; a document shall be deemed to be within the "control" of Mr. Eddleman, Mr. Chan Van Vo or any individual acting on behalf of either of them if any such person has ownership, possession or custody of the document or copy thereof, or has the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

General Interrogatories

1(a). State the name, present or last known address, and present or last employer of each person, other than affiant, who provided information upon which you relied in answering each interrogatory herein, or who otherwise assisted you in answering each interrogatory herein.

(b). Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

(c). For each such person who provided you with information upon which you relied in answering any interrogatory

herein or who assisted you in answering any interrogatory herein and who is an expert (i) provide that person's expertise and facts supporting his expertise, (ii) if that person has been "retained or specially employed," state in detail the facts underlying any "retained or specially employed status," (iii) if that person's identity is being withheld, (A) explain the need to withhold such person's identity, and (B) state the protection or privilege upon which you rely in withholding the person's identity (see Licensing Board's Memorandum and Order of May 27, 1983).

(d). For each such person who provided you with information upon which you relied in answering any interrogatory herein or who assisted you in answering any interrogatory herein and who is not an expert, identify that person in accordance with the Licensing Board's Memorandum and Order of May 27, 1983.

2(a). Identify all documents in your possession, custody or control, including all relevant page citations, upon which you relied in answering each interrogatory herein.

(b). Identify the specific interrogatory response(s) to which each such document relates.

3(a). Identify any other source of information, not previously identified in response to Interrogatory 2 or 4, which was used in answering the interrogatories set forth herein.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

41-G-1(a). Do you have knowledge of Mr. Chan Van Vo's allegations regarding harassment independent of his affidavit of October 6, 1984, which is the basis of your Contention 41-G?

(b). If the answer to (a) above is affirmative, set forth in detail the nature of such knowledge and the factual basis therefore; include a statement of each such material fact relating to Mr. Van Vo's allegations and the source of such statement of fact.

41-G-2(a). Have you ever spoken directly with Mr. Chan Van Vo with respect to his allegations?

(b). If the answer to (a) above is affirmative, detail the substance of such conversation(s), including a statement of each material fact that you rely in support of your Contention 41-G.

41-G-3(a). Do you contend that workers at the Harris Plant site are instructed not to report items of nuclear safety concern to either CP&L management or the NRC?

(b). If the answer to (a) above is other than negative, state in detail the factual basis in support of your contention (including but not limited to the substance of any such instruction) and identify all documents which set forth or reference such instruction(s).

(c). If the answer to (a) above is other than affirmative explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-4(a). Do you contend that workers at the Harris site are or have been instructed intentionally to destroy documentation regarding nuclear safety QA problems?

(b). If the answer to (a) above is other than negative, state in detail the factual basis in support of your contention (including but not limited to the substance of any such instruction) and identify all documents which set forth or reference such instruction(s).

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-5(a). Do you contend that CP&L's practice of counseling employees having documented job performance problems constitutes an act of harassment?

(b). If the answer to (a) above is other than negative, describe in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-6(a). Do you contend that the problems encountered in the installation of piping to Steam Generator Feedwater Pump 1A-NNS constitute an item of nuclear safety concern?

(b). If the answer to (a) above is other than negative, describe in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-7(a). Do you contend that Applicants failed to properly identify and report the nonconforming installation of piping to Steam Generator Feedwater Pump 1A-NNS?

(b). If the answer to (a) above is other than negative, state in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-8(a). Do you disagree with the findings of the Cobb Report (Ex. F to Applicants Response to Late-Filed Contentions of Wells Eddleman . . . Based on the Affidavit of Mr. Chan Van Vo) that Applicants had identified the nonconforming installation of Steam Generator Feedwater Pump 1A-NNS piping prior to the time that Chan Van Vo reported this item to Mr. Fuller?

(b). If the answer to (a) above is other than negative, state in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-9(a). Refer to NRC Inspection Report 50-400/84-43 (para. 5b) (previously provided to you by the NRC Staff by cover letter dated January 16, 1985). Do you agree with the finding of NRC I&E inspectors that Steam Generator Feedwater Pump 1A-NNS and its discharge piping are not required to be safety-related or seismic category 1?

(b). If the answer to (a) above is other than affirmative, describe in detail the factual basis for your answer.

41-G-10(a). Do you contend that there exist identified but not reported discrepancies regarding pipe hanger material traceability at the Harris Plant site?

(b). If the answer to (a) above is other than negative, state in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

41-G-11(a). Do you disagree with the findings of the Cobb Report regarding the resolution of the pipe hanger material traceability problem with Purchase Order 21022?

(b). If the answer to (a) above is other than negative, state in detail the factual basis for your allegation.

(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 41-G.

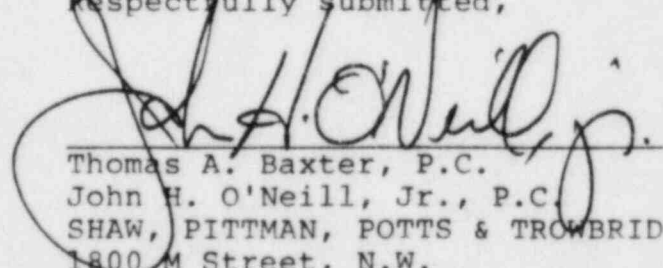
41-G-12(a). Refer to NRC Inspection Report 50-400/84-43 (para. 5d). Do you agree with the finding of the I&E inspectors regarding the resolution of the pipe hanger material traceability problem with Purchase Order 21022?

(b). If the answer to (a) above is other than affirmative, describe in detail the factual basis for your answer.

Request for Production of Documents

Applicants request that Intervenor Wells Eddleman respond in writing to this request for production of documents and produce the original or best copy of each of the documents identified or described in the answers to each of the above interrogatories, and those documents in the possession of Mr. Chan Van Vo upon which he relies in making his allegations in his Affidavit of October 6, 1985, at a place mutually convenient to the parties.

Respectfully submitted,



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Dated: February 8, 1985

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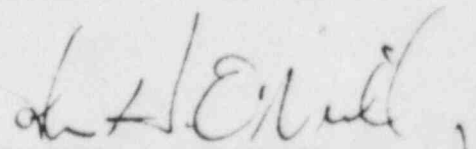
UNITED STATES OF AMERICA
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OFFICE OF SECRETARY
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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Plant))	

This is to certify that copies of the foregoing "Applicants' Interrogatories and Request for Production of Documents to Wells Eddleman (Contention 41-G)" were served by deposit in the United States mail, first class, postage prepaid, this 8th day of February, 1985, to all those on the attached Service List, except to Mr. Wells Eddleman who was served this day by U.S. Express Mail.



John H. O'Neill, Jr.,
P.C.

Dated: February 8, 1985

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