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RELATED CORRESPONDENCE

DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'86 DEC 16 P4:04

before the  
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
TEXAS UTILITIES ELECTRIC	)	Docket Nos. 50-445-06
COMPANY et al.	)	50-446-06
(Comanche Peak Steam Electric	)	(Application for an
Station, Units 1 and 2)	)	Operating License)
	)	

APPLICANTS' ANSWERS TO CASE  
CPRT PROGRAM PLAN INTERROGATORIES  
(Set No. 10)

Pursuant to 10 C.F.R. sec. 2.740 ff., the Applicants hereby submit their responses to CASE's "CPRT Discovery - 10," served by ordinary mail on September 18, 1986.

Instructions

The Applicants have ignored the instructions contained in the paragraphs labelled "A" through "F," inclusive, as contained in the document entitled "CPRT Discovery Instructions" under the heading "Instructions" (pages 7-10), insofar as the same are contrary to the Rules of Practice.

Design

By agreement of the parties, and with the concurrence of the Board, matters regarding the adequacy of design

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aspects of the CPRT Program Plan have been excluded from the matters in respect of which the Board authorized discovery on August 18 and 19, 1986. Consequently, the Applicants have limited their answers to these interrogatories to matters other than the design adequacy aspects of the CPRT Program Plan.

#### Interrogatories

With respect to each of the following statements, please indicate whether you agree or disagree with the statement. If you agree in part and disagree in part, please indicate the extent of your agreement and disagreement. With respect to each statement or portion of a statement with which you disagree, provide the following:

- a. Identify precisely those portions of the statement with which you disagree.
- b. Provide the full and complete basis for your disagreement, including the reason for the disagreement, all the facts upon which you rely to support your position, and identify all documents upon which you rely to support your position.
- c. Identify the person or persons who have personal knowledge of the facts upon which you rely in support of your position.
- d. If your current position is different from the earlier position(s) on the subject of the statement, identify precisely where and in what document(s) the earlier position(s) was taken and by whom and the full reason for the changed position.
- e. Produce for inspection and copying all documents identified in the answers to these questions and all documents examined and/or relied upon in preparing the answers to these questions.

In answering these questions, whether by agreement or

disagreement, the previously filed instructions are applicable and should be followed.

Interrogatory No. 1:

The Comanche Peak Response Team (CPRT) activities will not be utilized or relied upon as the inspections of record for Comanche Peak.

Objection:

The Applicants object to this interrogatory on the ground that the extent to which the Applicants presently intend or ultimately may employ the results of the implementation of the CPRT Program Plan for purposes other than developing evidence to be introduced into these proceedings for the purpose of responding to Contention 5 is irrelevant to the adequacy of the Program Plan so to respond and this interrogatory is therefore beyond the scope of the matters in respect of which this discovery was authorized by the Board on August 18 and 19, 1986.

Interrogatory No. 2:

The Applicant will rely on the implementation of the original QA/QC program to provide reasonable assurance that the plant was constructed in compliance with the construction permit and in a manner that would not endanger the public health and safety.

Objection:

As framed, this interrogatory appears to call for a statement of litigation position on the part of the Applicants. Such is not relevant to the adequacy of the

CPRT Program Plan to achieve its goals, and is therefore not within the scope of the discovery authorized by the Board on August 18 and 19, 1986.

Interrogatory No. 3:

The CPRT program results do not substitute for the QA/QC program results regarding the quality of the plant.

Objection:

The Applicants incorporate their objection to Interrogatory No. 2, supra.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, the Applicants provide the following information:

a. The Applicants find it impossible either to agree or disagree with this statement because it is unclear as to what is meant by "substitute." The Comanche Peak Response Team Program, in its entirety and once implemented as set forth in the Program Plan, will provide a level of assurance regarding the quality of construction of the CPSES facility comparable to that of an Appendix B program implemented in process.

b. Please see the Senior Review Team's "Response to Board Concerns".

c. This response has been prepared by the SRT,

acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 4:

The CPRT program is not a program that meets the requirements of 10 CFR 50 Appendix B criteria.

Objection:

This question appears to call for a judgment of law, namely the comparison of a written document to a written regulation. Regardless, the question of whether the Program Plan complies with Appendix B is not logically relevant to whether the Program is adequate to achieve its stated purpose. For these reasons, this interrogatory is not within the scope of the discovery authorized by the Board on August 18 and 19, 1986.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, the Applicants provide the following information:

a. Disagree. Prescinding from the applicability of Appendix B to the CPRT Program as a matter of law, the Program satisfies the substance of the Appendix insofar as the latter is topically applicable to the former. Please see our responses to CASE's "CPRT Discovery - Set No. 9."

b. See sub-part (a), supra.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. 10 CFR Part 50, Appendix B; CPRT Program Plan (including appendices and attachments).

Interrogatory No. 5:

The CPRT program results do not dictate retroactive programmatic changes, only hardware corrective action and programmatic changes for future work.

Answer:

In the absence of any context, we do not understand the message intended to be conveyed and therefore cannot respond. Please see our response to Interrogatory No. 1 of CASE's "CPRT Discover - Set No. 7."

a. Please see our response to Interrogatory No. 1 of CASE's "CPRT Discover - Set No. 7."

b. Please see our response to Interrogatory No. 1 of CASE's "CPRT Discover - Set No. 7."

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Response to Interrogatory No. 1 of CASE's "CPRT Discover - Set No. 7."

Interrogatory No. 6:

The CPRT program management is not independent of the Applicant in that the Senior Review Team is chaired by, and the CPRT [Program] Director is employed by, the Applicant.

Answer:

a. & b. Because no definition of "independent" is supplied, we are unable either to agree or disagree with the statement presented. While the facts stated after "in that" are accurate, in the judgment of SRT this does nothing to impair the "independence," defined as meaning the capacity and proclivity of the CPRT program to detect

and identify deviations, free from any influence deriving from past involvement in the matters under review.

"Management" of the CPRT is the exclusive province of the SRT, acting collectively and collegially, and to date no attempts have been made by the utility to interfere with or impair SRT's authority to manage CPRT. In addition, to date no attempt has been made by the utility to alter or amend any conclusions made by CPRT. Rather, each and every decision made by the SRT to date has been made on the basis of the best judgment of the members of the SRT, acting collectively and collegially, as to how to implement the CPRT Program Plan and accomplish the CPRT objectives. Given this experience, SRT cannot concur in any assertion that it is not "independent."

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 7:



The Overview Quality Team (OQT) is directed by and reports to the Senior Review Team.

Answer:

The OQT is directed by the Chairman of the OQT, but it does report to the SRT. The SRT is responsible for the formulation of the OQT Program and CPRT Program Plan, including Appendix G of the latter, and in that sense it does provide direction to the OQT. "Since these organizations are independent of the pressure of cost and schedules because they do not report to the line management directly responsible for the work, the organizational structure is acceptable." SSER 13 at 4-4.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. CPRT Program Plan, including Appendix G; OQT Program (7/23/86); SSER 13.

Interrogatory No. 8:

The OQT does not have the responsibility to identify, in writing, all failures of the CPRT to conform to the CPRT program plan.

Answer:

a. Except with respect to the matters enumerated in OQT Program at 2 (section 1), the statement is incorrect and we disagree.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. OQT Program.

Interrogatory No. 9:

The OQT does not have the authority to issue stop work orders for ongoing CPRT work.

Answer:

Such authority resides in the SRT, which is responsible for all CPRT actions.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. OQT Program.

Interrogatory No. 10:

The inspections conducted by the QA/QC Review Team are not inspections for acceptance of the hardware and are not conducted under the requirements of 10 CFR 50 Appendix B or the TUGCO QA program.

Answer:

We find it impossible to respond to this interrogatory, in that the term "acceptance of hardware" is not defined, and therefore we cannot (and do not) either agree or disagree. Nonetheless, please see our response to Interrogatories Nos. 3 and 4, supra.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question

calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 11:

The CPRT inspections do not go beyond the installation or fabrication of the hardware (i.e., the construction process) in evaluating the effectiveness of the implementation of the original QA/QC program.

Answer:

This assertion is so simplistic that it defies either a simple agreement or disagreement. Please see our responses to Interrogatories Nos. 7 and 23 of CASE's "CPRT Discovery - Set No. 5." Please also see "Response to the Board Concerns".

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the

response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Responses to Interrogatories Nos. 7 and 23 of CASE's "CPRT Discovery - Set No. 5." Please also see "Response to the Board Concerns".

Interrogatory No. 12:

The CPRT's conclusion about the condition of the plant will be based on the testing of the work processes.

Answer:

This assertion is essentially correct insofar as it goes, which appears to be limited to Action Plan VII.c, and assuming that "testing of the work processes" is a shorthand expression for "testing to determine whether the work processes produced products in conformity with the drawings, specifications and other instructions to which the processes were directed."

If this assertion is intended to apply to the entirety of the CPRT Program, it is false. It ignores the issue-responsive Action Plans, the review of QA/QC programmatic issues, the collection and assessment of data regarding the adequacy of the QA/QC program, the assessment of the testing and design efforts, implementation of corrective actions for findings deriving from the implementation of

the CPRT Program and the collective evaluation process. Please also see our response to Interrogatory No. 11, supra.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. CPRT Program Plan.

Interrogatory No. 13:

The CPRT's conclusion about the adequacy of the implementation of the original QA/QC program will be based on collective evaluation of the testing of the work processes.

Answer:

Please see our response to the prior interrogatory.

Interrogatory No. 14:

The homogeneous work activities were developed based on the original work processes, not the original quality control inspection processes.

Answer:

We do not understand the assertion being made and therefore cannot signify either agreement or disagreement. Please see Program Plan, Appendix B at 8: homogenous work activities are based upon "applicable drawing and specifications; codes and standards; work and inspection procedures; and by identifying the organizations, crafts and inspection groups who conducted the work."

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, op. cit. supra.

Interrogatory No. 15:

The CPRT does not probe the root cause or generic implication of failure of the original QA/QC program to meet a commitment in the original program if the resultant hardware condition is/was determined not to have any safety significance.

Answer:

If this assertion is equivalent to an assertion that root cause assessments are made only under the circumstances and in the event of the findings described in the various Action Plans and in Program Plan, Appendix E, then we agree. To the extent that this assertion says anything different, we disagree.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. Program Plan, Appendices C and E.

Interrogatory No. 16:

What corrective action should be taken as a result of CPRT-identified deficiencies, deviations, and other failures to meet commitments is decided by the Applicant.

Answer:

This assertion is correct insofar as, since the utility and not CPRT is the holder of the Construction



Permit, the utility must exercise this judgment. If and to the extent that the assertion intends to signify that CPRT has no role to play in the process, or in evaluation of the adequacy of the corrective actions, we disagree. Please see Program Plan, Appendix H.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix H; SSER 13.

Interrogatory No. 17:

The evaluation of failures to meet commitments in order to determine whether something is a deviation or a deficiency is made by the CPSES Project Quality Engineers.

Answer:

Assuming that "deviation" and "deficiency" are intended to be used as they are used in the CPRT Program Plan, we disagree. The RTL for each Action Plan is responsible for the accomplishment of all of the tasks

required to be performed under that Action Plan. The RTL has the authority to delegate the performance of tasks at his discretion, but remains responsible for the performance thereof. Please see Program Plan at 7 and Appendix E, passim.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. Program Plan.

Interrogatory No. 18:

The preliminary inspections and reviews done to determine the scope of the CPRT were not written down or recorded pursuant to the requirements of identification of non-conforming conditions pursuant to 10 CFR 50 Appendix B.

Objection:

Insofar as this assertion, with which the Applicants are requested to signify either agreement or disagreement, calls for a legal judgment, the Applicants object to it.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, it is unclear what the "preliminary inspections and reviews" referred to are, and we are therefore unable either to agree or disagree (and therefore do neither). Insofar as the intended reference may have been to hardware inspections or document reviews performed by CPRT prior to the issuance of an Action Plan, we are aware of none. Insofar as the intended reference may have been to preliminary assessments of potential generic implications made by the SRT, they are recorded in the Action Plan to which they apply. Insofar as the intended reference may have been to hardware inspections or document reviews performed in order to assess the validity of TRT findings or assertions, such inspections or reviews are in fact recorded in the Results Report or Working File associated with the Action Plan in connection with which the inspections or reviews were performed.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not

believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan.

Interrogatory No. 19:

Reinspection work done under Revisions 0, 1, and 2 will not be redone under Revision 3, but at most the work products will be reviewed.

Answer:

The RTL is responsible for assuring that the work performed in connection with any Action Plan conforms to the Program Plan and associated documents in effect at the time that a Results Report is submitted to the SRT for approval. It is therefore the responsibility of the RTL to determine the extent to which re-inspections done previously are required to be re-performed or supplemented in each case. For this reason, we cannot signify either agreement or disagreement with the foregoing assertion, as its correctness may be expected to vary from Action Plan to Action Plan and, in any event, cannot be determined until the implementation of the Action Plans is complete and the Results Reports have been submitted to SRT for approval.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix G, Attachment 4.

Interrogatory No. 20:

The CPRT is not a 100% reinspection program of all safety-related systems.

Answer:

We cannot respond to this as framed with either an unqualified agreement or disagreement. Please see our "Response to Board Concerns" at 6. In addition, the extent to which "100% reinspection," if the term is intended to denote inspection of 100% of the members of a population, is required or will be made cannot be determined until the program has been implemented.

a. See above.

b. See above.

c. This response has been prepared by the SRT,

acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. "Response to Board Concerns"; Program Plan, including Appendices A, B, C, D, E and H.

Interrogatory No. 21:

The results of the CYGNA effort have not been included in the reinspection program.

Answer:

Disagree. The results of the Cygna effort, which is a list of issues requiring resolution, are taken into account in the CPRT Program.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or

available to the SRT.

- d. No response required.
- e. No documents.

Interrogatory No. 22:

None of the third parties are independent of TUEC, since all of the consultants are under the direction of the CPRT.

Answer:

Disagree. Please see our response to Interrogatory No. 6, supra.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. No documents.

Interrogatory No. 23:

The third parties were selected solely by TUEC, disregarding the importance of the concurrence of the public, and the nomination and approval procedures for independent third parties used by the NRC since 1982.

Answer:

The factual assertion in the first clause is not accurate, since in each case the SRT (and in particular cases, perhaps an RTL as well) concurred in the selection of CPRT personnel and organizations performing CPRT services. We respectfully decline to express an opinion regarding "the importance of the concurrence of the public," for the reasons, inter alia, that it is not clear what is meant by "importance," "concurrence" or "public," and since, in our view, the operative criterion is the ability of the selected people to accomplish the tasks for which they were selected, which would appear not to be dependent upon such "concurrence: and are matters as to which the undefined "public" does not appear to be qualified to render a judgment. We are unaware of the "nomination and approval procedures . . . used by the NRC since 1982," and therefore cannot (and do not) express either agreement or disagreement with the statement. However, we would be surprised to find that this assertion, whatever its reference, were accurate, since "[t]he staff finds the CPRT organization acceptable based on the following organization and responsibilities described in the CPRT Program Plan. . . ." SSER 13 at 4-2.

a. See above.



b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. SSER 13.

Interrogatory No. 24:

Under Revisions 0, 1, and 2 of the CPRT, many of the review team leaders, issue coordinators, and advisors were primarily responsible to, or were in fact TUGCO personnel who were involved in the construction project for a long time.

Answer:

Disagree.

a. Assuming the term "TUGCO personnel" to mean regular TUGCO project employees not meeting the Objective Criteria of the Program Plan, no such personnel have been serving as RTLs, ICs or "advisors" since the publication of Rev. 2 of the Program Plan. Please see the response to Interrogatory No. 11 of CASE's "CPRT Discovery - Set No. 3."

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, including appendices, Revs. 1, 2 and 3.

Interrogatory No. 25:

The third-party consultants, individually and organizationally, are not being considered a part of the normal regulatory process, and therefore not required to report all safety-related information reportable under 10 CFR 50.55(e) and 10 CFR Part 21 to the NRC directly.

Objection:

If and to the extent that this interrogatory calls for a legal opinion, the Applicants object to it.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, we disagree. CPRT is considered to be an independent consultant. As a result, 10 CFR 50.55(e) and 10 CFR 21 are not directly implemented by CPRT. CPRT generated deviations are transmitted to the utility who in turn utilizes their procedures to report as

necessary items under 10 CFR 50.55(e) or 10 CFR 21.

Data generated by CPRT is available to the utility for its use in meeting the utility's reporting responsibilities.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. 10 CFR Parts 21 and 50.

Interrogatory No. 26:

The third-party consultants can only recommend corrective action to TUEC/TUGCO, but they cannot control the implementation of the corrective action, nor does the third party have the authority to insist on accomplishment of a particular corrective action as a caveat for any conclusions.

Answer:

The first clause is, ultimately, true; the second (commencing with "nor") is not. Please see our response to Interrogatory No. 16, supra.

a. See above.

b. The second clause is simply factually erroneous.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 27:

The SRT responsibilities, under the direction of a TUGCO Vice President, control the CPRT effort through selection of management personnel, approval of the action plans, review and approval of the "safety-significant" determination, and root cause and generic implication assessment, and approval of corrective action.

Answer:

Disagree. The SRT acts collectively and collegially. The activities contained in the assertion have not been delegated by the SRT to the SRT Chairman.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not

believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 28:

TUGCO is also in charge of the issues raised through the SAFETEAM and other project activities, i.e., there is no procedure for inclusion of new issues or expansion of the scope of the CPRT without approval of TUGCO management.

Answer:

Disagree. Please see Program Plan at 5 and PAG-09, generally and in particular section 5.0. Please also see our responses to Interrogatories Nos. 16-20 of CASE's "CPRT Discovery - Set No. 6."

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan at 5 and PAG-09, generally and in particular section 5.0.

Interrogatory No. 29:

The reinspection methodology is not done through established professional codes (ASME, ANSI, AWS, etc.).

Answer:

Disagree. In the absence of some more specific assertion regarding the relationship of "established professional codes (ASME, ANSI, AWS, etc.)" to inspection methodology, and how CPRT inspection methodology is thought to be inconsistent with the former, we are unable to respond with any specificity. We are unaware of the non-conformance of CPRT inspection methodology to any applicable provision of the cited codes (excluding whatever was intended to be referred to by "etc.," which is too vague to require or permit a response). Please see also Program Plan, Appendix C, Action Plan VII.c at 6: "A safety-significant attribute is a characteristic of a component or construction activity which, if not in accordance with applicable design documents, codes and standards, could impair the ability of the component to perform its safety-related function under design loading conditions. . . . For these design requirements,

attributes will be selected which are required by applicable codes and standards . . . ." (Emphasis added.)

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix C, Action Plan VII.c.

Interrogatory No. 30:

The methodology is ambiguous about commitment to the FSAR, and provides no criteria upon which an exception will be sought.

Answer:

Disagree. The CPRT Program Plan is not ambiguous to us. Please see, e.g., Program Plan, Appendix E at 2, section B.1(c), and Appendix G at 6, which provide that the FSAR commitments, as from time to time approved, form one of the bases against which design activities are assessed. CPRT has neither the authority nor the occasion to seek amendments to the FSAR, which is the utility's document.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan.

Interrogatory No. 31:

Reporting procedures for third-party auditors exclude independent contact with the NRC.

Answer:

It not having been the intention of SRT to "exclude" what is described, we disagree. In the absence of some specification of what it is that is thought to "exclude," we cannot be more specific in our response.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not



believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 32:

Issues "closed out" by the external source for whatever reason are not considered for potential root cause or generic implications.

Answer:

Disagree. This assertion appears to be flatly contrary to Program Plan, Appendix A at 7 and Appendix B at 5.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendices A and B.

Interrogatory No. 33:

The program plan does not include all vendors, or separate construction activities, and therefore presumes that work was accomplished in accordance with regulatory requirements. There is nothing to justify this position.

Answer:

Disagree. The assertion as framed is simply not an accurate description of the Program Plan. In the absence of some specific respect in which the "presum[ption]" is made or in which justification is missing, we can be no more specific in our response. See Program Plan, Appendix A, Attachment 4 at 29-32, Appendix B at 7, and Appendix C, Action Plan VII.a.9.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. See above.

Interrogatory No. 34:

There is no new retraining and/or recertification program for TUEC or B & R QA/QC or craft personnel that insures that the TRT-identified failures in the training program implementation are not repeated.

Answer:

Retraining or recertification of personnel is not a CPRT responsibility, though in accordance with Program Plan, Appendix H, it might be the subject of CPRT recommendation for and oversight of corrective action. Therefore, the absence of specific reference to these items from the Program Plan, if this was the intention of the assertion, is largely accurate. But see Program Plan, Appendix C, Action Plan I.a.4. If the assertion is to the effect that such retraining or recertification does not occur, however, the assertion is false.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.

- e. See above.

Interrogatory No. 35:

The CPRT criteria for determination of defects is its "safety-significance," not necessarily non-compliance with FSAR or QA/QC requirements.

Answer:

In the absence of a definition of "defects," we cannot respond to this assertion.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. None.

Interrogatory No. 36:

There is no provision for assessing deficiencies in inaccessible hardware components.

Answer:

If "assessing" was intended to be defined to be limited to only physical re-inspection and to exclude all

other means of assessment, the assertion is accurate (as well as a truism). Otherwise, it is not. See Program Plan, Appendix B at 9, which states, "Inaccessible or non-recreatable attributes will be assessed and new items selected or documentation reviews conducted as necessary."

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix B.

Interrogatory No. 37:

There is no provision for logical consideration of potential programmatic generic defects, such as inadequate design review. All defects, deficiency reviews, etc., are going on simultaneously and have been since October 1984.

Answer:

We find ourselves unable to determine how the author of this assertion defined "logical consideration of potential programmatic generic defects," and therefore

cannot respond to this interrogatory. Nonetheless, we disagree, inasmuch as we understand the Program Plan appropriately to provide for logical consideration of any "programmatic deficiencies" identified in accordance with the provisions of the Plan (see appendices E and H). "Logical consideration" is provided first in the context of the identifying Results Report and subsequently in the Collective Evaluation process.

If what was intended to be asserted is that it is not possible or logical to assess the adequacy of construction unless and until the adequacy of design has first been assessed (or assumed), we do not agree with such a novel assertion. The standard employed (both generally and in CPRT) for testing the adequacy of construction is conformance of the products of construction to the requirements and instructions to which the products were intended to be constructed. That the requirements and instructions might themselves contain inadequacies (because, for instance, of design errors) does not negate a conclusion that the constructors were capable of and did follow the instructions and requirements given to them. Moreover, the hypotheses that CPRT was designed to test in the construction area, namely that there existed systematic weaknesses in the construction, training, inspection and

testing process, are themselves insensitive to the prior adequacy vel non of the design.

We point out that the only risk presented by this rather standard approach to things is that the effort expended in the re-inspection of that hardware that is later required to be physically altered as a result of corrective action flowing out of the design program may be wasted. The impact of the realization of such a risk is limited to cost and, perhaps, schedule, matters with which the CPRT is not concerned. There is no risk to the integrity of the ultimate hardware or design conclusions.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. None.

Interrogatory No. 38:

The scope of the DAP was developed by eliminating

original inspection elements and by reliance on the inspection by numerous other external sources, which themselves were separate from the current effort and conducted according to totally different procedures, and intended to discover different information.

Objection:

By agreement of the parties, the design aspects of the CPRT Program have been excluded from the matters as to which the Board authorized this discovery on August 18 and 19, 1986. Therefore, the Applicants object to this interrogatory.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, because, inter alia, of the conjunction of "DAP" and "inspection elements" in this assertion, we do not understand the assertion and are unable to (and therefore do not) either agree or disagree.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.



d. No response required.

e. None.

Interrogatory No. 39:

There is no auditable justification for the creation of arbitrary homogeneous hardware groups to use as a base to extrapolate results of the DAP.

Objection:

By agreement of the parties, the design aspects of the CPRT Program have been excluded from the matters as to which the Board authorized this discovery on August 18 and 19, 1986. Therefore, the Applicants object to this interrogatory.

Answer:

Without waiving the foregoing objection, but rather expressly relying upon the same, given the use of the term "homogenous hardware groups" and the conjunction of that phrase and reference to the Design Adequacy Program, we do not understand the proffered assertion and therefore cannot signify either agreement or disagreement with it.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding

"personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 40:

Expansion criteria for individual components or systems are ambiguous and rely on no developed acceptability level.

Answer:

Disagree. Expansion criteria are set forth in the Action Plans in which expansion criteria are relevant, as are the "acceptability level[s]," regardless of whether the quoted term was intended to mean accept/reject criteria or tolerance limits. See also Program Plan, Appendix D.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

- e. No documents.

Interrogatory No. 41:

The proposed sampling approach is generally based on the conduct of reinspection of both bias[ed] and random samples. The reinspection itself is done against unknown baseline criteria (i.e., sometimes the FSAR, sometimes "safety significance," sometimes an unknown attribute checklist) using a 95/5 sampling plan.

Answer:

Disagree. The "baseline criteria," which from its context we interpret to mean "accept/reject criteria," are known to those who have read the program plan. See Program Plan, Appendices B, C and E.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. Program Plan, Appendices B, C and E.

Interrogatory No. 42:

The bases for the CPRT decisions will be engineering evaluations of the safety significance of design,

construction, or process deficiencies, not raw data. Therefore, only those defects that are judged by TUEC to have any safety significance will ever be used as a basis to reach the threshold for expanding the sample size.

Answer:

The first sentence is not correct, in that there are a host of decisions called for in the Program Plan that are not dependent upon or based upon a determination of safety significance. The second sentence appears to be accurately, if imprecisely, drawn from Program Plan, Appendix D, if (and only if): (1) the reference to "TUEC" is considered to be a slip of the pen for "CPRT," (2) the reference to "defects" is intended to capture the concept of "deviations" as described in Appendix E, (3) the reference to "safety significant" is intended to refer to the assessments for safety significance described in Appendix E and includes the assessment of possible adverse trends, and (4) the potential for cross-population expansion driven by generic implications evaluation is intended to be at least implicitly recognized. If not, then the second sentence is inaccurate in that CPRT, not TUEC, makes the decisions regarding safety significance to which the CPRT Program Plan refers. Regardless, the statement is inherently meaningless and potentially misleading because the evaluations referred to are

themselves based on "raw data."

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan.

Interrogatory No. 43:

Exploratory evaluations that are not recorded are used to identify the specific sub-population, rendering the sampling process biased from the beginning.

Answer:

We do not understand the reference to "exploratory evaluations," and we do not understand the context in which the interrogatory employs the term "sub-population;" therefore we cannot (and do not) respond to this interrogatory. Nonetheless, the process by which the populations derived during the implementation of Action Plan VII.c have been derived is recorded.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix C, Action Plan VII.c; CPP-005.

Interrogatory No. 44:

The sampling approach is not committed, but rather is a shifting target.

Answer:

There being no indication of what was intended to be denoted by the terms "committed" or "shifting target," we cannot (and therefore do not) respond to this interrogatory.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not

believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 45:

ISAPs are not prepared on any issues not yet identified by the NRC-TRT, including over 700 allegations in the SAFETEAM files.

Answer:

Disagree. While the meaning of "prepared" in the foregoing statement is less than clear, it is a program commitment to capture, either directly by an issue-responsive action plan, or indirectly by virtue of the scope of an existing action plan or the scope of the self-initiated programs or the scope of the redesign/reanalysis programs being undertaken by the Project and overviewed by CPRT, the External Source issues known to CPRT. E.g., Program Plan, Appendix B at 4.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not

believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

- d. No response required.
- e. Program Plan, Appendix B.

Interrogatory No. 46:

ISAP development, done by the issue coordinators or field consultants, do not coincide with a standard set of requirements (i.e., some ISAPs use the FSAR as the acceptance criteria, some use regulatory guides, some use professional standards). Therefore it is not possible to draw conclusions about compliance with the originally prescribed standards.

Answer:

We are unable either to agree or disagree with this assertion, which is vague and lacking in specifics. Nonetheless, we believe that all of the Action Plans are consistent in their adherence to the Program Plan. It is accurate that the nature of the accept/reject criteria contained in the various TRT-responsive Action Plans vary from plan to plan, which is both inevitable and appropriate given that the issues to which those Action Plans are responding vary. Please see our response to Interrogatory No. 14, supra.

- a. See above.
- b. See above.



c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 47:

ISAPs do not address the history of other problems related to the specific issue.

Answer:

We do not understand, in the absence of specifics, what "history of other problems" is being asserted should be, but is, "not addressed." Therefore we cannot (and do not) respond to this interrogatory.

We would point out that a requirement of Results Reports is the inclusion of such history of the issue as, in the judgment of the RTL and SRT, is required for resolution of the issue. Program Plan at 33, 36.

a. See above.

b. See above.

c. This response has been prepared by the SRT,

acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

- d. No response required.
- e. Program Plan.

Interrogatory No. 48:

The ISAPs/DSAPs do not include the results on the exploratory investigations that are used as a basis to develop the ISAP.

Answer:

We are not aware of the "exploratory investigations" that are being referred to, and therefore cannot (and do not) respond to this interrogatory. Please, however, see our response to Interrogatory No. 43, supra.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or

available to the SRT.

- d. No response required.
- e. No documents.

Interrogatory No. 49:

There is no accurate, up-to-date list of remaining work against a defined baseline of actual work necessary to complete Unit 1 and Unit II.

Answer:

The foregoing statement is sufficiently vague about the nature of the "list" being referred to that we are unable either to agree or disagree with the assertion (and therefore we neither agree nor disagree).

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. No documents.

Interrogatory No. 50:

There are no work controls on ongoing work, including

ongoing reinspection work and any ongoing corrective action work.

Answer:

Disagree. While the term "work controls" is vague and undefined, and therefore we do not understand what it is that the interrogatory has in mind, it is not accurate to say that there are "no controls" on the ongoing CPRT Program implementation activities, and therefore we disagree. See Program Plan, passim.; PAGs; CPPs; DAPs.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan; PAGs; CPPs; DAPs.

Interrogatory No. 51:

There are no NRC inspection and review hold points at critical reinspection points.

Answer:

Agree (except to the extent of the use of the term

"critical reinspection points," which is undefined).

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. No documents.

Interrogatory No. 52:

There were no inspections attribute checklists available to the NRC and CASE for review and analysis prior to most of the reinspections to insure that the reinspection effort would be comprehensive.

Objection:

This interrogatory bears no possible relevance to the adequacy of the CPRT Program Plan, the subject for which this discovery was authorized by the Board on August 18 and 19, 1986, and therefore the Applicants object to it.

Interrogatory No. 53:

There is no significant change in the organization and management personnel associated with the construction of the plant (as opposed to QA/QC).

Objection:

This interrogatory bears no possible relevance to the adequacy of the CPRT Program Plan, the subject for which this discovery was authorized by the Board on August 18 and 19, 1986, and therefore the Applicants object to it.

Interrogatory No. 54:

Most QA/QC management personnel now at the plant were at the plant before but in different jobs or employed by different organizations or in different status.

Objection:

This interrogatory bears no possible relevance to the adequacy of the CPRT Program Plan, the subject for which this discovery was authorized by the Board on August 18 and 19, 1986, and therefore the Applicants object to it.

Interrogatory No. 55:

There is no internal management analysis to determine the root cause of the implementation failures of the initial construction and inspection effort.

Answer:

Disagree. See, e.g., Program Plan at 8.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding

"personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

- d. No response required.
- e. Program Plan.

Interrogatory No. 56:

There is no verifiable central control with stop work authority over the multiple reinspection programs to insure that the interfaces necessary for successful implementation and communication exist at the facility.

Answer:

Disagree. SRT has and has exercised the specified authority.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. No documents.

Interrogatory No. 57:

There is no acceptable auditable protocol between the CPRT-SRT, TUEC, and other contractors.

Answer:

In the absence of any specification of what is meant by the terms "acceptable," "auditable," "protocol," and "other contractors," we are unable either to agree or disagree with this assertion (and therefore we neither agree nor disagree).

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 58:

There are no third-party controls over the implementation of the corrective action measures.

Answer:

Assuming that "control" is used in the literal sense, we agree. CPRT does not, and cannot, "control" the actual



design or construction of the CPSES facility. See the response to Interrogatory No. 16, supra. However, CPRT has significant influence over the scope, content and implementation of corrective actions developed in response to CPRT findings. See Program Plan, Appendix H.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix H.

Interrogatory No. 59:

There is no contractual independence of the evaluators on the SRT from TUEC management.

Answer:

Please see our response to Items 6, 7 and 22, supra.

Interrogatory No. 60:

There is no separation between the reinspection effort and the work completion effort.

Answer:

Disagree. The "reinspection effort" is performed by CPRT under the direction of the SRT and "work completion effort" (which we interpret to mean construction work) is performed by the CPSES project.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 61:

There is no program to consider the implications of harassment and intimidation on the work atmosphere.

Answer:

Disagree. If and to the extent that "harassment and intimidation" was the root cause of deficiencies, the Program is designed to detect those deficiencies.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 62:

There is no program for retraining and recertifying all inspectors to new inspection criteria.

Answer:

Please see our response to Item 34, supra.

Interrogatory No. 63:

There is no justification provided for the identification of the homogeneous hardware groups that are to provide the basis for the conclusions of the self-initiated evaluation.

Answer:

Please see our response to Items 14 and 43, supra.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not

believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. No documents.

Interrogatory No. 64:

There is no adequate plan for implementation of oversight controls on the self-initiated evaluations, or the ISAP/DSAPS.

Answer:

Disagree. Assuming that "oversight controls" means inspection and audit, please see Program Plan, Appendix G, and OQT Program.

a. See above.

b. See above.

c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.

d. No response required.

e. Program Plan, Appendix G, and OQT Program.

Interrogatory No. 65:

There is no program to consider the existence and implications of inadequate management character, competence, or commitment to compliance with 10 CFR 50, Appendix B, as one of the causes for the problems with implementation of the QA/QC program in previous years.

Answer:

Disagree. The purpose and structure of the self-initiated investigations is to detect deficiencies regardless of cause, and to determine the root cause of found deficiencies. No potential root cause is eliminated from consideration.

- a. See above.
- b. See above.
- c. This response has been prepared by the SRT, acting collectively and collegially. Since the question calls for a judgment or statement of position, it is not believed that the portion of the question regarding "personal knowledge" is applicable; in any event, the response is based upon all of the information known to or available to the SRT.
- d. No response required.
- e. Program Plan, Appendices E and H; PAG-04.

Production of Documents

It is not believed that any documents of which copies have not already been produced for inspection by CASE are so

described. Nonetheless, the Applicants will produce for inspection and copying, at the offices of Texas Utilities Generating Company, 400 North Olive Street, Dallas, Texas, at a time to be mutually agreed upon by counsel or other representatives of the parties, any document referred to herein and specifically identified by CASE of which it has not already had an opportunity to inspect.

Motion for Protective Order

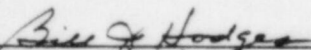
To the extent required by the Rules of Practice, the Applicants move for a protective order on the objections interposed in the foregoing responses.

SIGNATURES

I, Terry G. Tyler, being first duly sworn, do depose and say that I am the Program Director of the Comanche Peak Response Team ("CPRT") (see "Comanche Peak Response Team Program Plan," 6/28/85), that I am familiar with the information contained in the CPRT files and available to CPRT third-party personnel, that I have assisted in the preparation of the foregoing answers, and that the foregoing answers are true, except insofar as they are based on information that is available to Texas Utilities or the CPRT (third-party personnel) but not within my personal knowledge, as to which I, based on such information, believe them to be true.

  
\_\_\_\_\_  
Terry G. Tyler

Sworn to before me this  
1<sup>st</sup> day of ~~November~~<sup>December</sup>, 1986:

  
\_\_\_\_\_  
Notary Public, STATE OF TEXAS  
My commission expires: MARCH 28, 1988

As to Objections:

1250

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Thomas G. Dignan, Jr.  
R. K. Gad III  
William S. Eggeling  
Kathryn S. Selleck  
Ropes & Gray  
225 Franklin Street  
Boston, Massachusetts 02110



DOCKETED  
USNRC

CERTIFICATE OF SERVICE

'86 DEC 16 P4:04

I, Kathryn A. Selleck, one of the attorneys for the Applicants herein, hereby certify that on December 8, 1986, I made service of the within "Applicants' Answers to CASE CPRT Program Plan Interrogatories (Set No. 10)" by mailing copies thereof, postage prepaid, to:

Peter B. Bloch, Esquire  
Chairman  
Administrative Judge  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Mr. James E. Cummins  
Resident Inspector  
Comanche Peak S.E.S.  
c/o U.S. Nuclear Regulatory  
Commission  
P.O. Box 38  
Glen Rose, Texas 76043

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Ms. Billie Pirner Garde  
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Appleton, WI 54911

Chairman  
Atomic Safety and Licensing  
Appeal Panel  
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Chairman  
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Stuart A. Treby, Esquire  
Office of the Executive  
Legal Director  
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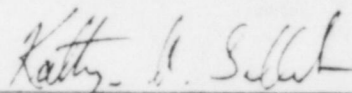
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