

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

**DOCKETED 04/19/00**

Before Administrative Judges:

Charles Bechhoefer, Chairman  
Dr. Richard F. Cole  
Dr. Charles N. Kelber

**SERVED 04/19/00**

In the Matter of

NORTHEAST NUCLEAR ENERGY  
COMPANY

(Millstone Nuclear Power  
Station, Unit No. 3;  
Facility Operating License  
NPF-49)

Docket No. 50-423-LA-3

ASLBP No. 00-771-01-LA

April 19, 2000

MEMORANDUM AND ORDER  
(Schedules for Proceeding)

On Tuesday, April 18, 2000, the Atomic Safety and Licensing Board for this 10 C.F.R. Part 2, Subpart K spent-fuel-pool proceeding conducted a telephone conference call for the purpose of establishing future schedules. Participating, in addition to the three Licensing Board members, were David A. Repka, Esq., counsel for Northeast Nuclear Energy Company, Licensee; Nancy Burton, Esq., counsel for Connecticut Coalition Against Millstone (CCAM) and Long Island Coalition Against Millstone (CAM), Intervenors; and Anne Hodgdon, Esq., Brooke D. Poole, Esq., and Mr. Victor Nerses, Project Manager, for the NRC Staff. Lee S. Dewey, Esq., Chief Counsel of the Atomic Safety and Licensing Board Panel, was also present.

After discussion with all parties, and in accordance with requirements set forth at 10 C.F.R. § 2.1113, the Licensing Board established the following schedule, which is premised on completion of discovery by May 30, 2000, the date currently effective:

1. Filing of parties' written summaries: Friday, June 30, 2000.
2. Oral argument: Wednesday, July 19, 2000 and, to the extent necessary, Thursday, July 20, 2000.

Oral argument will be held in the New London, Connecticut area, at a time and location to be announced. Oral argument is expected to occupy one day but, as necessary, could be extended to the following morning. On Thursday, July 20, 2000, following oral argument or, if oral argument has been completed, at the start of the day, the Board will hear oral limited appearance statements, as authorized by 10 C.F.R. §§ 2.1117 and 2.715(a). After such statements, the Board requests the Licensee to provide a site tour (if time permits) for members of the Licensing Board and all parties who wish to participate.

At the conclusion of the conference call, the Licensee advised that it was submitting an amendment to its proposal currently under review in this proceeding, adding a requirement that boron in the spent fuel pool be monitored at least weekly. This amendment may have an effect on contention 5 and possibly contention 4. The Board urged the parties to attempt to reach agreement on those two

contentions, and the parties continued the conference call without the Board members to attempt to achieve that goal, as well as to discuss discovery and other matters.

IT IS SO ORDERED.

For the Atomic Safety and  
Licensing Board

**/RA/**

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Charles Bechhoefer  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
April 19, 2000

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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NORTHEAST NUCLEAR ENERGY	)	Docket No. 50-423-LA-3
COMPANY	)	
	)	
(Millstone Nuclear Power Station,	)	
Unit No. 3)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (SCHEDULES FOR PROCEEDING) have been served upon the following persons by U.S. mail, first class, except as otherwise noted (by \*) and in accordance with the requirements of 10 CFR Sec. 2.712.

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Docket No. 50-423-LA-3  
LB MEMORANDUM AND ORDER  
(SCHEDULES FOR PROCEEDING)

[Original signed by Kris Cater]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 19<sup>th</sup> day of April 2000

\* Internal Distribution