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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF THE SECRETARY
ADJUTANT GENERAL

In the Matter of)
)
CAROLINA POWER & LIGHT)
(Shearon Harris Nuclear)
Power Plant))

Docket No. 50-400 -LP
ASLBP No. 99-762-02-LA

ORANGE COUNTY'S MOTION FOR EXTENSION OF
TIME FOR FILING EXHIBITS TO SUBPART K PRESENTATION
AND REQUEST FOR EXPEDITED CONSIDERATION

Pursuant to 10 C.F.R. §§ 2.1117 and 2.718(e), Orange County hereby requests a one-week extension of the time for filing hard copies of its exhibits in the Subpart K proceeding on Contention EC-6, and a 30-day extension of the time for filing electronic copies of the exhibits. Because the time remaining to meet the Subpart K deadline is brief, Orange County requests expedited consideration of this motion.

In support of its motion, Orange County states the following:

1. Legal and evidentiary summaries are due on November 20, 2000. Orange County is working diligently to prepare and file its legal brief, evidentiary summary, and expert report by that deadline. There is an enormous amount of written material that must be reviewed, digested, and addressed in order to accomplish this task, including several probabilistic risk studies conducted by the Applicant, and numerous government reports on probabilistic risk assessment issues. For example, Orange County has compiled a bibliography of reports consulted for its evidentiary presentation, which contains over 60 references. The County expects that its expert, Dr. Gordon Thompson, will cite portions of many of these studies in his report. Thus, the County wishes to attach

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relevant portions of the documents as exhibits.

2. The parties have been provided a relatively short time span of 30 days since the closing of discovery to prepare their written evidentiary and legal presentations. As previously discussed in Orange County's Motion for Extension of Schedule, etc. (October 13 2000), delays in production of documents have further increased the time pressure to review these documents. Dr. Thompson is fully devoting his time during these remaining weeks to the process of evaluating thousands of pages of documents obtained through discovery and preparing his expert report. Dr. Thompson has informed counsel that he believes that the amount of time provided is the minimum he needs to do the substantive work called for, such that he will have no additional time to perform clerical tasks. If he were to cut short his report in order to do these tasks, the quality and integrity of his scientific work would suffer greatly.
3. Dr. Thompson is the County's sole expert and technical contractor, and he has no clerical employees to assist him in the preparation of exhibits. Even if he did, the time required to supervise them would rob him of time needed to prepare the substance of his expert report. In contrast, CP&L and the Staff have teams of numerous people that are available to do both technical and clerical work in order to fully meet the November 20 deadline.
4. Orange County has already produced or identified to the Applicant and Staff virtually all of the documents that Orange County considers relevant to its presentation. Documents prepared by the NRC or its contractors were identified by NUREG number, title and date; and other documents were copied and produced. Thus, the Applicant and Staff

either possess or are aware of most of the documents that Orange County will be including as exhibits to its presentation. Orange County expects that it may rely on several additional documents that were not produced during discovery, but is prepared to file these with its legal and evidentiary summary and expert report on November 20.

5. Dr. Thompson will be able to copy the exhibits during the two days following November 20, and will ship them to counsel for Orange County for receipt by Friday, November 24. Counsel will be able to copy them for the Board and parties and serve them by hand on Monday, November 27.
6. Orange County also requests a 30-day extension of the time for filing electronic copies of the exhibits, as scanning them will be an extremely cumbersome and time-consuming process. It appears that while the Board considers electronic copies of all exhibits to be necessary to make a complete record of this proceeding, they are not necessary for the Board's immediate review.
7. Counsel for the Applicant has stated that the Applicant is not opposed to this motion. Counsel for Orange County contacted counsel for the Staff, but the Staff was unable to take a position on the motion in time for this filing.

Respectfully submitted,



Diane Curran

HARMON, CURRAN, SPIELBERG, & EISENBERG, LLP

1726 M Street N.W., Suite 600

Washington, D.C. 20036

202/328-3500

FAX: 202/328-6918

e-mail: dcurran@harmoncurran.com

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CERTIFICATE OF SERVICE

I certify that on November 10, 2000, copies of Orange County's Motion for Extension of Time for Filing Exhibits to Subpart K Presentation and Request for Expedited Consideration were served on the service list below by e-mail and/or first class mail as indicated below:

Secretary of the Commission
Attention: Rulemakings and Adjudications
Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: hearingdocket@nrc.gov

Steven Carr, Esq.
Carolina Power & Light Co.
411 Fayetteville Street Mall
Post Office Box 1551 - CPB 13A2
Raleigh, NC 27602-1551
E-mail: steven.carr@cplc.com

Susan L. Uttal, Esq.
Jennifer M. Euchner, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: sluu@nrc.gov, jme@nrc.gov

Moses Carey, Chair
Orange County Board of Commissioners
P.O. Box 8181
Hillsborough, NC 27278
E-mail: Mccarey@mindspring.com

Paul Thames
County Engineer
Orange County Board of Commissioners
P.O. Box 8181
Hillsborough, NC 27278

Adjudicatory File
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Peter S. Lam
Atomic Safety and Licensing Board
Mail Stop T 3F-23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: psl@nrc.gov

Thomas D. Murphy
Atomic Safety and Licensing Board
Mail Stop T 3F-23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: fjs@nrc.gov

John H. O'Neill, Jr., Esq.
Douglas Rosinski, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street N.W.
Washington, D.C. 20037-1128
E-mail: john_o'neill@shawpittman.com,
douglas.rosinski@shawpittman.com

G. Paul Bollwerk, III, Chairman
Atomic Safety and Licensing Board
Mail Stop T 3F-23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: gpb@nrc.gov



Diane Curran