



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

July 3, 1979

Ralph Shapiro, Esq.
Cammer and Shapiro
No. 9 East 40th Street
New York, New York 10016

In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station, Unit 1)
Docket Nos. 50-322 & 70-2884

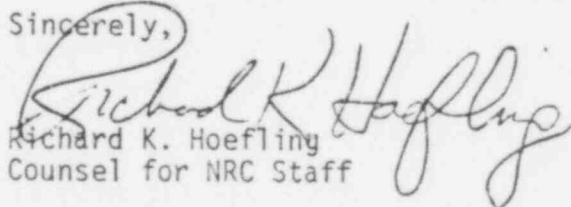
Dear Mr. Shapiro:

I am in receipt of your letter to me dated June 8, 1979 regarding "LILCO's application for a 10 CFR Part 70 license to receive, possess, and store unirradiated raw fuel assemblies at the Shoreham site". Your letter requested "that LILCO's application of September 25, 1978 for an SNM license be held in abeyance pending *** a hearing". You further requested that you "receive timely notice of the date of such a hearing".

The NRC Staff still has the LILCO Part 70 license application under review. There are no requirements in 10 CFR Part 70 that a hearing be held prior to issuance by the Staff of such a license. If your client is, however, interested in seeking a hearing, I suggest that you address a motion to the Licensing Board convened in Docket No. 50-322. Since your client has had notice of the pendency of the Part 70 application since receipt of my letter dated November 3, 1978, I suggest that such a motion be expeditiously filed. I also suggest that such a motion address all requirements found in 10 CFR §2.714. A copy of Part 2, the Commission's Rules of Practice, are enclosed for your ready reference.

This letter should not be construed by you as an indication that the Staff would either support or oppose any such motion. We will, of course, be unable to make such a determination until we have reviewed any motion you may choose to file.

Sincerely,


Richard K. Hoefling
Counsel for NRC Staff

Enclosure: As Stated

cc: (w/o encl.):

Elizabeth S. Bowers, Esq.
Dr. Oscar H. Paris
Mr. Frederick J. Shon
Edward M. Barrett, Esq.
Edward J. Walsh, Esq.
Howard L. Blau, Esq.
W. Raylor Reveley, III, Esq.

7908150009
Jeffrey Cohen, Esq.
Irving Like, Esq.
Mr. J. P. Novarro
Energy Research Group, Inc.
Atomic Safety & Licensing Board
Atomic Safety & Licensing Appeal Board
Docketing and Service Section

678343