

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of)	
)	
PORTLAND GENERAL ELECTRIC)	Docket No. 50-344SP
COMPANY, ET AL.)	
)	
(Trojan Nuclear Plant))	(Control Building Proceeding)

PREHEARING CONFERENCE (PHASE II) ORDER
(April 12, 1979)

Pursuant to notice duly published in the Federal Register, a prehearing conference was held in Portland, Oregon on March 29-30, 1979. This prehearing conference concerned the issues involved in Phase II of this proceeding, which involve the question "whether the scope and timeliness of the modifications required...to bring the facility into substantial compliance with the license are adequate from a safety standpoint" (Order For Modification of License dated May 26, 1978, 43 Fed. Reg. 23768).

The Board heard from the parties and counsel regarding the contentions filed by the Intervenor (Tr. 3008-3111). For the reasons stated in the course of the conference, the following action was taken regarding the contentions of Intervenor Eugene Rosolie, pro se and on behalf of Coalition For Safe Power (CFSP):

- Contentions 1 and 2 were withdrawn.
- Contentions 3 and 4 were admitted.
- Contention 5, objections were sustained.
- Contentions 6-9 were withdrawn.
- Contentions 10-11, objections were sustained.

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Contentions 12 and 13 were combined and admitted.

Contention 14 was withdrawn.

Contentions 15-17 were admitted.

Contention 18 was subject to stipulation regarding review of security aspects and report by Staff expert on security plans.

Contention 19 was rejected.

Contention 20 was admitted as rephrased.

Contention 21 was withdrawn.

Contention 22 was admitted as modified.

Contentions 23-26 were withdrawn (Tr. 3111-12).

The following action was taken regarding the Contentions filed by the Consolidated Intervenorors (CI):

Contention 1 was subject to the security plan stipulation of CFSP Contention 18, supra.

Contentions 2A, C and D were admitted; B and E were withdrawn.

Contention 3 was admitted as rephrased.

Contention 4 was admitted and was combined with No. 12.

Contention 5 was admitted as rephrased.

Contention 6 was rejected.

Contention 7 was admitted.

Contentions 8-10 were withdrawn.

Contention 11 was admitted as rephrased.

Contention 12 was admitted and was combined with No. 4.

Contentions 13 and 14 were withdrawn.

Contention 15 was denied.

Contention 16 was withdrawn.

Contention 17 was admitted.

Contention 18 was denied.

Contention 19 was withdrawn.

Contention 20 was admitted.

Contentions 21-25 were withdrawn (Tr. 3112-13).

Mr. Rosolie and CFSP were directed to give fuller and more complete responses to interrogatories served upon them by the Licensee (Tr. 3123-34), such responses to be filed by April 12, 1979. The Consolidated Intervenors, represented by Ms. Bell, were directed to file responsive answers to Licensee's interrogatories by April 12, 1979.

The Staff pointed out that certain Intervenors have not participated in the proceedings, and have not filed written contentions by February 26, 1979, as ordered by the Board in its Order of January 30, 1979, pursuant to the provisions of 10 CFR §2.714(b). Because of their failure to comply with the orders of the Board and the Rules of Practice of the Commission, the following Intervenors are dismissed as parties to this proceeding:

Columbia Environmental Council; and

Stephen M. Willingham (Tr. 3137, 3197-3200).

The following schedule was adopted to govern Phase II of this proceeding:

April 16, 1979 - Intervenors to respond to Staff's interrogatories.

June 15, 1979 - Motions for summary disposition.

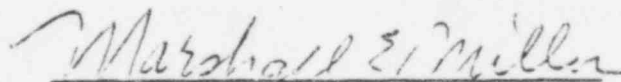
July 9, 1979 - Prefiled direct testimony.

July 30 thru
August 10, 1979 - Evidentiary hearing.

Two weeks after date Staff files its Safety Evaluation -- last
date for filing interrogatories or other discovery requests
(Tr. 3145-61).

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Marshall E. Miller, Chairman

Dated at Bethesda, Maryland
this 12th day of April 1979.

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