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April 2, 1980

Marshall E. Miller, Esq., Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Cadet H. Hand, Jr., Director
Bodega Marine Laboratory
of California
P.O. Box 247
Bodega Bay, California 94923

Re: Docket No. 70-2623
Transportation of Spent Nuclear Fuel
from Oconee to McGuire Nuclear Station



Gentlemen:

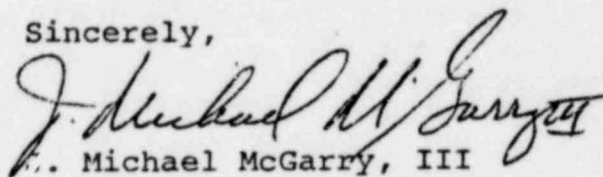
In an effort to resolve matters prior to the scheduled April 28, 1980 hearing, Duke Power Company (Duke) agreed to expeditiously provide Natural Resources Defense Council (NRDC), update testimony regarding spent fuel storage options. On March 14, 1980, Duke filed with the Board and parties the Further Supplemental Testimony of Ralph W. Bostian which addressed the status of spent fuel storage options.

NRDC agreed to review the Bostian testimony and rather than conducting cross-examination at the scheduled hearing, to take Mr. Bostian's deposition. Duke and NRDC agreed that the deposition could be stipulated into evidence, subject to the Board's approval. Upon examination of the Bostian testimony, NRDC determined that it was unnecessary to take Mr. Bostian's deposition. NRDC has no objection to the Further Supplemental Testimony of Ralph W. Bostian being received into evidence. Duke will formally present Mr. Bostian's testimony at the April hearing and at that time request its receipt into evidence.

NRDC is cognizant of the issues that will be the subject of the April hearing and at this time does not contemplate participating. In the event NRDC determines otherwise, it will timely advise the Board and parties.

This letter has been reviewed and approved by Counsel for NRDC.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Michael McGarry, III".

J. Michael McGarry, III

cc: All Parties