



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

May 22, 1981



Herbert Grossman, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Harry Foreman
Administrative Judge
Box 395, Mayo
University of Minnesota
Minneapolis, MN 55455

Dr. George A. Ferguson
Administrative Judge
School of Engineering
Howard University
2300 6th Street, N.W.
Washington, DC 20059

In the Matter of General Electric Co.
(Vallecitos Nuclear Center - General Electric Test Reactor)
Operating License No. TR-1
Docket No. 50-70

Dear Administrative Judges:

Since the last prehearing conference call between the parties to this proceeding and the Board held on May 18, 1981, the parties have agreed and stipulated for the purposes of this Show Cause proceeding, that the following four additional matters are not in issue among the parties, can be accepted by the Board as given in its decision, and need not be litigated in the forthcoming hearings:

1. The procedure used to assess the stability of hillside deposits as a result of an earthquake as described in Section 2.3, page 3, is appropriate for the purpose of this proceeding.
2. The investigations and reports provided by General Electric regarding landslides satisfy the requirements of 10 CFR Part 100, Appendix A, Section V Seismic and Geologic Design Bases ((d) Determination of Other Design Conditions; (2) Slope Stability). In addition these investigations and reports are in agreement with Standard Review Plan Section 2.5.5, Stability of Slopes.
3. An earthquake-induced slope displacement (landslide) of 1m is conservative.

8105260102

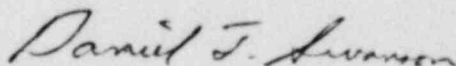
C

4. Ground surface displacements resulting from these slope movements would be expected to occur near the toe of the slope, in the vicinity of the observed shear zone, and at some distance (approximately 300 feet) from the GETR plant. Therefore, ground surface displacements due to the postulated landslide must be considered in the design of safety related equipment located near the toe of the slope (e.g., fuel flooding system piping) but need not be considered in the design of the GETR reactor structure.

The four matters were included in the Staff's "Request For Admissions, Interrogatories, and Request For Documents of Intervenors" dated March 16, 1981, at page 8, as admission request numbers E.1-4. The statements were taken from the Staff's October 27, 1980 Safety Evaluation, Part I.

Pursuant to a communication with Chairman Grossman, I understand that the Board does not intend to question on the subject matter of the above issues. Accordingly, the Staff does not now intend to bring Mr. Greeves to the hearing to testify on the subject of landslide characteristics. Staff witness Joseph Martore will be prepared to respond to questions regarding the impact of a landslide on the fuel flooding system piping near the toe of the slope.

Sincerely,



Daniel T. Swanson
Counsel for NRC Staff

cc: Service List