

JUL 26 1983

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Mr. Herbert H. Brown
KIRKPATRICK, LOCKHART, HILL
CHRISTOPHER & PHILLIPS
1900 M Street, N.W.
Washington, D. C. 20036

Dear Mr. Brown:

This is in response to your letters of March 15, 1983 and March 28, 1983, regarding the request for an extension of the completion date stated in Construction Permit (CP) No. CPPR-95, for the Shoreham Nuclear Power Station. The request was filed by Long Island Lighting Company (LILCO) on February 25, 1983 (SNRC-848).

Your letter of March 15, 1983, states that "LILCO's letter of February 25 does not show, and LILCO cannot possibly show, 'good cause' for extending the completion date for Shoreham, because no operating license for the Shoreham plant can lawfully be issued by the NRC." You further stated on March 28, 1983, that officials of Suffolk County were prepared to meet with the staff to discuss these issues. The staff arranged to meet with you on May 24, 1983, but the meeting was cancelled at your request. As you have shown no further interest in the matter, despite our written reminder to you of June 1, 1983, and several telephone conversations with members of your firm, we have concluded that you no longer desire to meet with the staff. We have therefore proceeded with and completed our evaluation of the applicant's request.

We do not agree with your view of the applicant's request for the reasons set forth in the "NRC Staff Brief in Response to Suffolk County's Motion to Terminate the Shoreham Operating License Proceeding and the County's Motion for Certification," dated March 25, 1983, and in the staff safety evaluation related to the extension of the CP (copy enclosed). As the Atomic Safety and Licensing Board in the Shoreham Proceeding noted in its May 14, 1982 Order regarding a Shoreham Opponents Coalition request for hearing on an earlier request for extension of the CP (p.14), the issue of emergency planning has no connection with any of the reasons stated by LILCO as causing the need for the CP extension. Your letter raises no issues arising from the reasons assigned in justification of the request for the CP extension or which would evolve naturally from the extension. We also note that your letter raises no new issues of safety significance or environmental concern with respect to the LILCO CP extension. In this regard, it should also be noted that LILCO proceeds with construction at its own risk in the event that it does not receive a license to operate the Shoreham Facility. For these reasons, along with those set forth in its accompanying safety evaluation, the staff ordered, on July 22, 1983, (copy enclosed) that the latest construction completion date for Shoreham be extended to December 31, 1983.

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Mr. Herbert H. Brown

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Finally, we noted your request, contained in your letter of March 15, 1983, that "this opposition to LILCO's request for an extension [be forwarded] to the Commissioners for their early consideration." We further note you have already sent copies of the letter directly to the Commissioners. Similarly, we have forwarded copies of this response to the Commissioners as a followup to your letter.

Sincerely,

Edson G. Case

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
As stated

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issued 7/22
ED has no legal objection
SB 7/22/83

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