

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Sheldon J. Wolfe, Chairman
Dr. Jerry R. Kline
Dr. George A. Ferguson

'82 DEC -6 A11:51

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In the Matter of

VIRGINIA ELECTRIC AND POWER COMPANY

(North Anna Power Station,
Units 1 & 2)

Docket Nos. 50-338 OLA-1
50-339 OLA-1

December 3, 1982

NOTICE OF HEARING ON ISSUANCE OF
AMENDMENT TO FACILITY OPERATING LICENSES

On September 22, 1982, at 47 Federal Register 41892, the Staff of the Nuclear Regulatory Commission published a notice which, inter alia, stated that the Commission had received an application from Virginia Electric and Power Company for an amendment to the facility operating licenses to permit the receipt and storage of 500 spent fuel assemblies from the Surry Power Station, Units 1 and 2.

The notice provided that, by October 22, 1982, any person whose interest might be affected by the proceeding and who wished to participate as a party must file a petition for leave to intervene

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in accordance with the Commission's "Rules of Practice" in 10 C.F.R. Part 2. On October 26, 1982, an Atomic Safety and Licensing Board was established to rule on petitions for leave to intervene and/or requests for hearing and to preside over the proceeding in the event that a hearing was ordered. The Board's Administrative Judges are Dr. Jerry Kline, Dr. George A. Ferguson, and Sheldon J. Wolfe, who will serve as Chairman of the Board.

Concerned Citizens of Louisa County filed a petition for leave to intervene, and the County of Louisa, Virginia and the Board of Supervisors of the County of Louisa filed a petition for leave to intervene. As indicated in its Memorandum and Order of November 22, 1982, the Atomic Safety and Licensing Board ruled inter alia that the two petitioners for leave to intervene had established standing to intervene, and provisionally ordered a hearing and provisionally granted the petitions for leave to intervene.

Pursuant to 10 C.F.R. § 2.751a the Board will conduct a special prehearing conference at the following location at 10:00 a.m. on February 16, 1983:

NRC Public Hearing Room
5th Floor, East West Towers Building
4350 East-West Highway
Bethesda, Maryland 20014

Counsel for the Applicant, the NRC Staff, and for the petitioners for leave to intervene are directed to appear. This special prehearing

conference */ is held in order to:

- (1) Permit identification of the key issues in the proceeding;
- (2) Take any steps necessary for further identification of the issues;
- (3) Consider all intervention petitions to allow the presiding officer to make such preliminary or final determination as to the parties to the proceeding, as may be appropriate; and
- (4) Establish a schedule for further actions in the proceeding.

In order that the Board will have sufficient time within which to review amended and/or supplemented contentions proposed by the petitioners and to review the answers of the Applicant and the NRC Staff, pursuant to § 2.711, the Board extends the fifteen (15) day time limit set forth in § 2.714(b). Thus, no later than thirty (30) days prior to the holding of the § 2.751a special prehearing conference (i.e. by no later than January 17, 1983), the two petitioners shall file their amended contentions and/or a supplement to their petitions to intervene which must include a list of the contentions which they seek to have litigated in the matter, and set forth the bases for each

*/ This special prehearing conference also is being held to consider prehearing matters in a companion case, Virginia Electric and Power Company, (North Anna Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-338 OLA-2 and 50-339 OLA-2, wherein VEPCO requests an amendment to the operating licenses to permit the expansion of the fuel pool storage capacity for the North Anna Units 1 and 2. A Notice of Hearing with respect to this companion case is being published today. After the special prehearing conference, the Board may decide to consolidate the two cases.

contention with reasonable specificity. The Applicant and the NRC Staff shall have ten days after the service of the proposed contentions within which to respond.

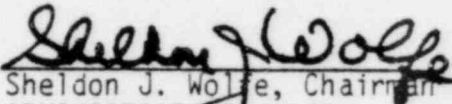
The public is invited to attend the prehearing conference but members of the public may not participate in this conference. An opportunity will be provided for any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene. Any person may request permission to make a limited appearance pursuant to provisions of 10 C.F.R. § 2.715 of the Commission's "Rules of Practice." Subject to the conditions set forth in subsequent Orders, limited appearances will be permitted at the time a § 2.752 prehearing conference is held and also at the beginning of the hearing, if any. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

For further details, see the application for amendment dated July 13, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22902.

Whether a hearing is ultimately held will depend upon whether contentions suitable for hearing develop in the prehearing procedures to follow this Notice of Hearing.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Sheldon J. Wolfe, Chairman
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 3rd day of December, 1982.