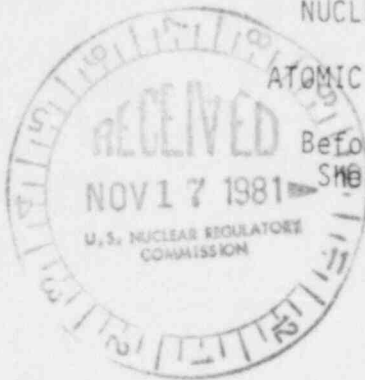


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
NRC



ATOMIC SAFETY AND LICENSING BOARD

'81 NOV 16 A11:58

Before Administrative Judges:

Sheldon J. Wolfe, Chairman

Dr. Walter H. Jordan

Dr. Harry Foreman

OFFICE OF SECRETARY  
ADMINISTRATIVE & SERVICE  
BRANCH

SERVED NOV 16 1981

In the Matter of )

LOUISIANA POWER AND LIGHT COMPANY )

(Waterford Steam Electric Station,  
Unit 3) )

Docket No. 50-382-OL

November 13, 1981

ORDER

1. On October 15, 1981, Intervenor Louisiana Consumer's League (LCL) filed a Notice of Withdrawal From Proceeding. Therein, LCL moved for leave to withdraw its contentions and to withdraw as a party.

Treating the Notice as a Motion Requesting Leave To Withdraw, the Board grants the Motion, dismisses LCL's contentions and dismisses LCL as a party.

2. On October 23, 1981, Joint Intervenor (Save Our Wetlands, Inc. and Oystershell Alliance, Inc.) filed a Motion For Voluntary Dismissal Of Contentions. Therein, Joint Intervenor moved

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for voluntary dismissal with prejudice of eleven of their contentions (1, 2, 12, 19, 20, 21, 23, 24, 25, 27 and 29).<sup>1/</sup> They also moved for leave to file additional contentions, if appropriate, upon their compliance with the provisions of 10 C.F.R. § 2.714(a)(1).

In a Response dated October 27, 1981, Applicant did not oppose the instant motion. In a Response dated November 12, 1981, while the NRC Staff did not oppose the requested dismissal of the eleven contentions, it objected to the granting of the request that the dismissal be with leave to file additional contentions upon compliance with § 2.714 because that condition might be misinterpreted as implicit authorization for the future filing of additional contentions and because, in any event, the inclusion of that condition in the Board's Order would serve no useful purpose. The Staff's partial objection is well taken.

Accordingly, the Joint Intervenor's motion is in part granted, to the extent that their eleven contentions, identified above, are dismissed with prejudice.<sup>2/</sup> The balance of their motion is

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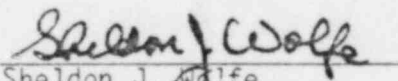
<sup>1/</sup> For some reason, the Joint Intervenor's also moved to dismiss Contention 28. This was unnecessary, since our Memorandum and Order of September 30, 1981 had granted Applicant's motion to dismiss Contention 28.

<sup>2/</sup> The Joint Intervenor's three contentions remaining to be litigated are Contentions 8 (consolidated with Contention 9 in the Order of September 12, 1979), 17 and 26.

denied as being superfluous. The provisions of § 2.714(a)(1) clearly govern any future request by the Joint Intervenors to file any additional contentions.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Sheldon J. Wolfe  
ADMINISTRATIVE JUDGE