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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Lawrence Brenner, Chairman
Dr. James H. Carpenter
Dr. Peter A. Morris

SERVED MAR 31 1982



In the Matter of)
)
LONG ISLAND LIGHTING COMPANY)
)
(Shoreham Nuclear Power Station)
Unit 1))

Docket No. 50-322-0L

March 30, 1982

CONFIRMATORY ORDER REGARDING SUFFOLK COUNTY
AND SOC MOTIONS TO COMPEL DISCOVERY FROM LILCO

Upon consideration of (1) LILCO's Objections to Suffolk County's and SOC's Discovery Requests and Motion for a Protective Order (March 15, 1982), (2) Suffolk County and SOC Motions to Compel Discovery from LILCO (March 18, 1982) and (3) the arguments of parties made during a conference call of parties on March 19, 1982, and confirming the rulings made during that conference call pursuant to the orders jointly proposed by the affected parties as modified by the Board, the Board this 30th day of March, 1982,

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ORDERS:

(SC)

1. LILCO shall respond to Suffolk County (SC) Interrogatory 33, except that the number of hours need not be provided and documents may be produced in lieu of an answer. The comprehensive document search required by the last sentence of Interrogatory 33 need not be made, largely because it duplicates other requests for production of documents such as request 37 of SC's March 5, 1982 Request for Production and Interrogatory 36 as we have modified it below.

2. As to SC Interrogatory 36, LILCO having answered "yes" to the first question shall respond to all remaining aspects of the interrogatory by providing SC with documents dealing with QA noncompliances, violations and other quality deficiencies.

3. LILCO shall respond to SC document production request No. 37. Insofar as audits of "other contractors" and "other subcontractors" are concerned, LILCO shall produce all audits or, if agreement can be reached with the County, may produce only a sample of the audits, which sample would be selected by the County based upon a list of audits which LILCO may prepare. The County is under no obligation, however, to accept a sample and may, if it chooses, insist that all audits be produced.

4. LILCO shall respond to SC Supplemental Document Production Request no. 1, as listed in the fashion attached to SC's Motion to Compel. Insofar as subparts b and c of that request are concerned, LILCO shall produce the documents in the manner least burdensome to LILCO.

5. LILCO need not produce the seismic data described in Production Request no. 5 of the County's Second Document Production Request because it is not relevant to any contention or issue admitted in the proceeding.

6. All the foregoing documents and responses shall be received or made available to the County by no later than Friday, March 26, 1982, unless the parties agree otherwise. To the extent that documents are made available at LILCO, their inspection shall end by April 2, 1982, unless the parties agree otherwise.

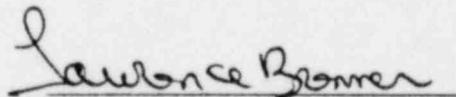
(SOC)

7. With regard to SOC's Interrogatory No. 8 on Contention 3, LILCO shall produce a list of equipment located in the secondary containment as referenced in that interrogatory, if such a list exists. In the alternative, LILCO shall produce current systems drawings for the eleven subject areas contained in Contention 3, except for those subject areas where LILCO is requesting a waiver from Reg. Guide 1.97.

8. with regard to SOC's Contention 19 Interrogatories, Interrogatory 1, LILCO shall specify, for each Regulatory Guide provision set forth in the contentions, the provisions of the regulatory positions in each Regulatory Guide with which LILCO does not comply. For each area of noncompliance identified in response to Interrogatory 1, LILCO shall answer SOC's Interrogatories 3(a) and 3(b). LILCO shall also provide documents pursuant to Interrogatory 3(c) to the extent that such documents exist to support their answers to Interrogatories 3(a) and 3(b). LILCO shall serve the answers to the Contention 19 Interrogatories by April 2, 1982 (in hand).

9. SOC's request for a site visit for its consultant, Richard Hubbard, was granted. However, the Board was thereafter informed by the March 25 proposed order that it is SOC's current belief that no special site visit need be arranged for Mr. Hubbard other than the site visit currently contemplated by the Board on April 13, 1982. LILCO has been advised by SOC, however, that Mr. Hubbard may have one or more areas of special concern beyond the areas of interest to the Board that he will wish to include in his April 13 site visit. SOC believes that all of his concerns can be accommodated within the time allotted by the Board for its visit.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

 , Chairman
Lawrence Brenner
ADMINISTRATIVE JUDGE

Bethesda, Maryland
March 30, 1982