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Judge Herbert Grossman
Chairman, Atomic Safety &
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U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Judge Gustave A. Linenberger
Member, Atomic Safety &
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U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Judge Frank F. Hooper
School of Natural Resources
University of Michigan
Ann Arbor, Michigan 48109

In the Matter of South Carolina
Electric & Gas Company, et al.
(Virgil C. Summer Nuclear Station, Unit 1)
Docket No. 50-395 OL



Gentlemen:

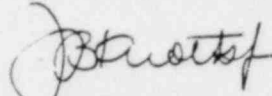
In reviewing the Affidavit of four NRC Staff members which was attached to the April 29, 1982 "NRC Staff Response to Second Late Intervention Petition of Fairfield United Action", I noted a possible ambiguity in paragraph 18 on page 7 of the Affidavit. The possible ambiguity appears in the references to "5% of full power" in the first two sentences, and specifically in the second sentence which reads: "The Staff will address the Applicants' detailed program for interim operation at power levels in excess of 5% of full power at a later date." I have discussed this matter with Staff Counsel, Mr. Goldberg, and confirmed (1) that any such Staff discussion of interim operation in excess of 5% of full power would be expected to be submitted to the Commission in connection with its review of authorized operation in excess of 5% power pursuant to 10 C.F.R. §2.764(f)(2), and (2) that the Staff does not

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contemplate by the quoted sentence making any further submission for action by the Licensing Board in this regard.

Yours very truly,



Joseph B. Knotts, Jr.

Attorney for South Carolina
Electric & Gas Company and
South Carolina Public Service
Authority

cc: Service list.