

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges:
Herbert Grossman, Chairman
Dr. Frank F. Hooper
Gustave A. Linenberger

OFFICE OF SECRETARY
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SERVED AUG 18 1982

In the Matter of

SOUTH CAROLINA ELECTRIC AND
GAS COMPANY, ET AL.

(Virgil C. Summer Nuclear
Station, Unit 1)

Docket No. 50-395-OL

August 17, 1982

MEMORANDUM
(Confirming Briefing Schedule)

At approximately 7 p.m. on Friday, August 6, 1982, Intervenor Bursey called the Board Chairman at his home to notify him of alleged safety concerns involving vertical welds of reinforcement bars in the Summer containment. On the following Monday morning, August 9, 1982, he called the Board chairman at his office to move orally for a stay of the Board's initial decision of August 4, 1982 authorizing the issuance of an operating license, pursuant to 10 C.F.R. § 2.788(g). Mr. Bursey indicated that a former cadwelder at the V. C. Summer Nuclear Station had come forward a few days previously to raise allegations concerning defective welds in containment rebar, and that Mr. Bursey was raising this as a safety issue at the earliest possible time.

The Board chairman arranged a conference call for noon of the same day at which the Board and representatives of the parties were present, except for the State of South Carolina whose counsel was

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unavailable. At the conference call, Intervenor indicated that he would submit the former cadwelder's affidavit to Applicants that day, who were then to forward a copy to Staff's counsel. The Board chairman arranged a further conference call for Thursday afternoon, August 12, 1982.

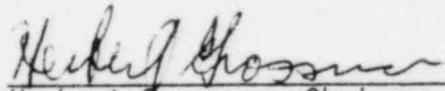
At the conference call on August 12, 1982, the Board and all parties were again present except for the State of South Carolina, whose attorney was again unavailable. Mr. Bursey indicated that his need for an immediate stay was premised on the prospect of fuel loading and criticality being achieved in the next few days. The Director had issued a license on August 6, 1982 authorizing fuel loading and operation at 5% of full power. We were told that fuel loading had commenced on August 10, 1982. Applicants' counsel indicated that it was his understanding that criticality would not be reached for at least 6 more weeks, i.e., on or about September 21, 1982. Applicants offered to notify the parties and the Board at least ten days before criticality would be reached if the 6 weeks estimate were shortened. Under those circumstances, Mr. Bursey indicated that he did not require an immediate ruling by the Board on his request for stay.

At the Board's suggestion, the parties agreed to a briefing schedule that would permit adequate time for Intervenor to submit a full presentation, and for Applicants and Staff to make full response. The parties agreed, and the Board ordered, that Intervenor submit his full presentation in support of his motion for stay and to reopen the proceedings on the cadwelding allegations by August 26, 1982, and

handcarry a copy to Applicants on that date. Applicants are to transmit a copy to Staff on or before the close of the next working day. Applicants and Staff are to submit their responses on or before September 10, 1982.

The Board hereby confirms that briefing schedule.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD



Herbert Grossman, Chairman
Administrative Judge

Dated at Bethesda, Maryland
this 17th day of August 1982.