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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 SEP 13 11:14

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Glenn O. Bright
Dr. James H. Carpenter
James L. Kelley, Chairman

In the Matter of

CAROLINA POWER AND LIGHT CO. et al.
(Shearon Harris Nuclear Power Plant,
Units 1 and 2)

Dockets 50-400 OL
50-401 OL

*✓ CARLA this is basis served to all parties
9-9-82 by USNRC 9-9-82
RUE*

Answer to Applicants' 7-Sept-82 Response to Wilson
Motion to Compel Service of Documents on Intervenors

1. Applicants seem to say the FSAR, ER, and their
amendments have not been "filed" with the Board - yet
these documents are clearly stated by the Board to be
the ones intervenors need to review to base contentions
upon. If the FSAR is not before the board, is anything?

2. Applicants seem to argue a catch-22 yet again
when they say that only matters in controversy based
upon intervenor contentions are matters on which they
must serve documents. These contentions will be based
on new information in such documents by Applicants' own
statements, e.g. re FSAR Amendment 4, evacuation plans,
etc.

3. Applicants rely extensively on the FSAR in re-
plying to and arguing intervenors contentions. It is
absurd for it to be "before the Board" for Applicants'
purposes, but not for service ONCE Intervenors are parties. How
can one be a party + not be served with basic papers in the case? I
support will leave CHANGE/ETP.

Wells Eddleman