

State of Tennessee



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October 27, 1982

Judge Marshall Miller
Chairman
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

RE: In The Matter Of: United States Department of Energy,
Project Management Corporation, Tennessee Valley
Authority (Clinch River Breeder Reactor Plant)
Docket No. 50-537.

Dear Judge Miller:

This will confirm and serve notice to all parties of our telephone conversation of this date originated by my phone call to you regarding a procedural matter not expressly covered by your Scheduling Order of August 31, 1982. As you know, the State of Tennessee, by and through the Tennessee Attorney General, is participating in the Clinch River Breeder Reactor Plant licensing hearings as an "interested state" pursuant to 10 C.F.R. § 2.715.

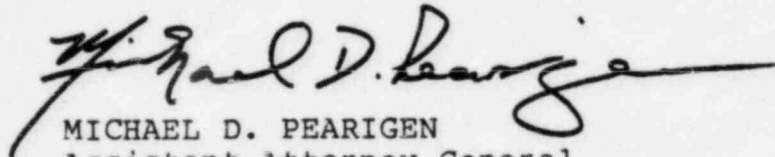
The August 31, 1982 Scheduling Order sets a November 1, 1982 deadline for written direct testimony to be pre-filed for the mid-November hearings on environmental matters. However, the Order does not explicitly treat material to be submitted which is in the nature of something other than evidentiary, or expert witness testimony. As an "interested state" we are permitted under 10 C.F.R. § 2.715(c) to "participate and to introduce evidence, interrogate witnesses, and advise the commission" We may wish to "advise" the commission at the environmental hearings via means of a position paper or limited written appearance statement or other such document to be docketed in the record. You advised that such type of material need not be

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pre-filed by the November 1, 1982 deadline for written direct testimony; however, any such document we may wish to introduce needs to be made available to all parties within a reasonable time prior to the beginning of the hearings, preferably on or before November 12, 1982.

The above account of our conversation reflects the entire extent of the matters discussed.

Sincerely,

A handwritten signature in cursive script, reading "Michael D. Pearigen". The signature is written in dark ink and is positioned above the typed name and title.

MICHAEL D. PEARIGEN
Assistant Attorney General

MDP:mjf

cc: Service List (Attached)

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CERTIFICATE OF SERVICE

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I hereby certify that a copy of the foregoing has been mailed to the following:

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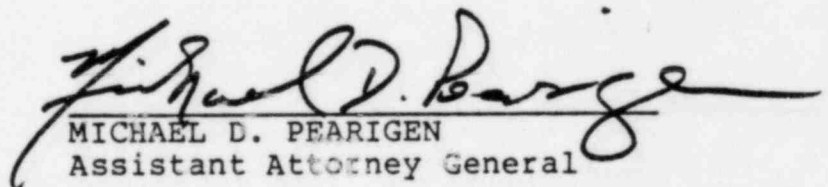
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Date: October 27, 1982