

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

March 10, 1983

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

SECRETARY
LICENSING & SERVICE
BRANCH

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

Wells Eddleman's Notes re Applicants'
Revised Proposed Schedule

1. There is a difference between the noted position on tolling time and what I understood (and checked with Applicants in our informal discussion before the conference) we had agreed to. In the present wording, time for response is tolled only on days in hearing. This could be interpreted to mean that it runs on weekends, or days of the week when there is no hearing, even though a hearing is continuing. I interpreted (and checked) the agreement to mean that from the time a hearing (or distinct separate phase thereof) begins, until the last day thereof, response time would not run.

Any other interpretation can clearly be unfair to intervenors such as myself with limited resources. For, if on the first day of a four week hearing, I were served with interrogatories, and 3 days each week were not actual hearing days, I would be left with only 2 days to answer after the end of the hearing. It simply isn't practical to do this and be well enough prepared for hearing to assist in the development of a sound record. I believe that the agreement is misstated on the transcript, and that Applicants' proposal is unfair to intervenors like myself.

2. The Security Plan doesn't address the environmental hearing. This may cause problems unless time is tolled per #1 above.

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