UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
WISCONSIN ELECTRIC POWER COMPANY
(Point Beach Nuclear Plant,
Units 1 and 2)

Docket Nos. 50-266 50-301

(Repair to Steam Generator Tubes)

NRC STAFF'S PROGRESS REPORT REGARDING DISCOVERY ACTIVITIES - NUMBER 3

This report is filed in accordance with the Licensing Board's Memoranda and Orders dated October 13, 1981 and November 5, 1981, as modified by the on-the-record telephone conference call among the Board and the parties on November 17, 1981.

- A. Discovery activities since report dated November 20, 1981:
 - 1. "NRC Staff Interrogatories to Intervenor Wisconsin's Environmental Decade" were filed on December 2, 1981 and received by the Intervenor on December 7, 1981. Subsequently, the Intervenor replied by letter dated December 8, 1981, stating their understanding was that their answer to Licensee's interrogatories dated November 20, 1981 is also responsive to the Staff's interrogatories. By telephone conversation with Mr. Peter Anderson on December 15, 1981, Staff counsel informed the Intervenor that a separate answer to the Staff's interrogatories would be required. This conversation

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8112240073 811222 PDR ADDCK 05000266 G PDR was confirmed by letter from the Staff to the Intervenor dated December 18, 1981. As of this date, the Staff has not received Intervenor's answer.

- The Staff has not received any discovery requests from Licensee or Intervenor.
- B. Plans for future discovery by the Staff:

A decision to serve additional interrogatories or to utilize other discovery methods will have to await receipt and review of the Intervenor's answers to the Staff's December 2, 1981 interrogatories.

Respectfully submitted,

Richard G. Bachmann Counsel for NRC Staff

Dated at Bethesda, Maryland this 22nd day of December, 1981

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S PROGRESS REPORT REGARDING DISCOVERY ACTIVITIES - NUMBER 3" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 22nd day of December, 1981:

Peter B. Bloch, Chairman*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Hugh C. Paxton Administrative Judge 1229 - 41st Street Los Alamos, New Mexico 87544

Dr. Jerry R. Kline*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Atomic Safety and Licensing Board Panel* U.S. Nuclear Regulatory Commission Washington, DC 20555

Atomic Safety and Licensing Appeal Panel (5)* U.S. Nuclear Regulatory Commission Washington, DC 20555

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555 *

Richard G. Bachmann Counsel for NRC Staff