

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

In the Matter of )  
 )  
LONG ISLAND LIGHTING COMPANY ) Docket No. 50-322 (OL)  
 )  
(Shoreham Nuclear Power Station, )  
Unit 1) )

LILCO'S REPLY TO SUFFOLK  
COUNTY'S MOTION TO COMPEL  
A WRITTEN REPORT CONCERNING  
THE TELEDYNE ENGINEERING SERVICES  
INDEPENDENT DESIGN REVIEW OF SHOREHAM

On April 8, 1983, Suffolk County filed a "Motion to Compel" LILCO to file a written report concerning certain questions about the Teledyne Engineering Services ("Teledyne") Independent Design Review of Shoreham. The County's motion sought the following information: (1) a description of the current status and schedule of the review; (2) an explanation of the alleged "delays" in the issuance of the final report; and (3) a description of "all contacts and communications between LILCO and Teledyne with respect to the review."

On April 14, 1983, the Board ordered the parties to discuss this motion prior to the filing of LILCO's and the Staff's responses. The Board's Order also directed that the answers to the County's motion "should describe the updated schedule status and the information provided in the discussions."

In light of the Board's prior ruling on the litigation of the Teledyne Report (Tr. 20,306-09), the County's motion is a premature and vexatious request for discovery. LILCO understands, however, the interest that both the parties and the Board have in the status of the Teledyne review. For this reason, and to demonstrate the invalidity of the County's suggestion in its motion that information regarding the Teledyne review has been "blacked out," LILCO provided the following information to representatives of the Staff and the County during a conference telephone call on Friday, April 22, 1983.

1. Explanation of Length of Time of Review

Although the County was correct in its motion that it was tentatively anticipated that the Teledyne review would be completed in August 1982, at least four factors explain why the review has not been completed. First, the initial projected completion date was based upon Teledyne's prior independent verification of LaSalle and Susquehanna. LILCO, however, did not impose any arbitrary schedule restrictions upon Teledyne, and LILCO understands from Teledyne that it would object to any such restrictions on the ground that its independence depends in part upon its capacity to conduct its analysis free from the constraints of a fixed final deadline. Given the County's objections, unjustified though they were, to a time limit having been set for the Torrey Pines review, LILCO assumes that the County would approve of the absence of a fixed deadline for the Teledyne final report.

Second, the scope of Teledyne's review of the Shoreham design is broader than the reviews performed by Teledyne at LaSalle and Susquehanna. The review by Teledyne of one loop of the core spray system at Shoreham is a more extensive effort than at LaSalle and Susquehanna, and the Shoreham review has therefore taken longer.

Third, Teledyne's design reviews at LaSalle and Susquehanna were undertaken after fuel load and the completion of the design of those two plants. By contrast, Teledyne's review at Shoreham commenced prior to fuel load. As a result, some aspects of the design, particularly the final stress reconciliation program, were being finalized concurrently with the Teledyne review. This has extended the time for the review. For example, certain information was unavailable until completion of portions of the stress analysis process.

Fourth, at LaSalle and Susquehanna, Teledyne did not consider the generic implications of its findings until after issuance of its final reports. For example, although the final report for Susquehanna was issued last August, the generic questions raised in connection with that review have only recently been completely resolved. Largely as a result of its experience at LaSalle and Susquehanna, Teledyne has undertaken to engage the generic questions with respect to its review of Shoreham before, rather than after, issuance of its final

report.<sup>1/</sup>

## 2. Current Schedule Estimate

Because there is no arbitrary deadline, LILCO cannot predict with certainty when the final report will be issued. As counsel for LILCO explained to the Staff and the County during the conference call on April 22, LILCO will soon be transmitting to Teledyne what are anticipated to be LILCO's final responses to the remaining questions raised by Teledyne. Teledyne's analysis of these responses will consume several additional weeks, and it would be imprudent of LILCO to predict exactly when Teledyne will complete this analysis or whether Teledyne will have any additional inquiries.

Given these qualifications, LILCO's best current estimate is that the final report should be available by the middle or end of June. Moreover, it is possible that an executive summary

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<sup>1/</sup> LILCO's initial expectation that the Teledyne review would be completed in August 1982 was in part based on its incorrect assumption that Teledyne had considered generic questions at LaSalle and Susquehanna prior to issuing its final reports. Thus, LILCO's expectation with respect to the timing of the review was based on information that, though accurate, was inapplicable to the Shoreham review. As noted above, Susquehanna expanded the scope of Teledyne's work to include a generic review, which, combined with the initial review, took some 12 months to complete.

will be available for the Board and the parties perhaps as much as two weeks in advance of the final report.<sup>2/</sup>

3. Contacts between LILCO and Teledyne

LILCO has not undertaken to identify and provide to the County a description of "all contacts and communications between LILCO and Teledyne with respect to the review," as requested in the County's motion. Nonetheless, LILCO has determined that Teledyne intends to include in its final report a description of all substantive technical communications between LILCO and Teledyne. LILCO further understands that Teledyne's intention in this regard is to issue a final report that will enable anyone reviewing the final report to trace its development and identify all of the information on which its conclusion will rest.<sup>3/</sup>

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<sup>2/</sup> During the conference call on April 22, Mr. Caruso of the Staff reported a somewhat more optimistic estimate of when the final report will be available. Based upon conversations with Mr. Landers, Teledyne's project manager, Mr. Caruso reported that the final report might be available by the end of May, with an executive summary issued by the middle of May. LILCO did not participate in the discussion between Messrs. Caruso and Landers.

<sup>3/</sup> LILCO also notes that the County has been receiving from the Staff copies of Teledyne's numerous submissions to the Staff regarding the Shoreham review.

Conclusion

Although not obligated to do so, LILCO has provided substantial information to the County in response to the concerns embodied in the County's motion. Should this information not satisfy the County, thus necessitating a ruling by the Board on the County's motion, LILCO respectfully prays that the Board deny the motion.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY

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DATED: April 25, 1983

CERTIFICATE OF SERVICE

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
Docket No. 50-322 (OL)

I hereby certify that copies of LILCO'S REPLY TO  
SUFFOLK COUNTY'S MOTION TO COMPEL A WRITTEN REPORT CONCERNING  
THE TELEDYNE ENGINEERING SERVICES INDEPENDENT DESIGN REVIEW OF  
SHOREHAM were served this date upon the following by  
first-class mail, postage prepaid.

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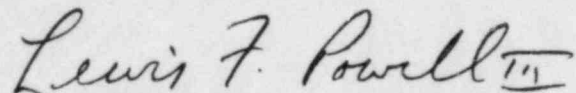
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