

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

Consideration of Issuance of Amendment
To Facility Operating License and
Proposed No Significant Hazards
Consideration Determination and
Opportunity for Hearing; Long Island
Lighting Co. (Defueled Operating
License) (55 Fed. Reg. 34098,
August 21, 1990)

) Docket No. 50-322

) License No. NPF-82

JOINT SUPPLEMENTAL COMMENTS ON
PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION

On September 20, 1990, the Shoreham-Wading River Central School District and Scientists and Engineers for Secure Energy, Inc. (jointly "Petitioners") filed among other things, comments on the proposed no significant hazards consideration determination in the above-captioned matter. Subsequent developments in that matter require the filing and consideration of these supplemental comments.

On January 24 of this year, the Commission issued its decision in Long Island Lighting Co. (Shoreham Nuclear Power Station, Unit 1), CLI-91-01, 33 NRC ____ (Slip Op. Jan. 24, 1991) holding among other things, that "a POL may be issued without any preliminary or final decommissioning information," (Slip Op. at 2) over Chairman Carr's strong and clear dissent. Slip Op. at 11-13. Given the Chairman's clear and strong dissent, Petitioners submit that the proposed POL amendment cannot be determined to "clearly raise no significant hazard issues" and,

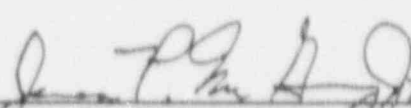
therefore, cannot be the subject of a final no significant hazards consideration determination. See Final Procedures and Standard on No Significant Hazards Considerations, 51 Fed. Reg. 7744, 7750 col.3 (March 6, 1986) (emphasis added).

Moreover, the POL amendment application meets several of the standards established by the Commission for an action to "likely be found to involve significant hazards consideration," since it involves "[a] significant relaxation of the criteria used to established safety limits," "[a] significant relaxation of the bases for limiting safety system settings and limiting conditions for operation," and "[a] change to technical specifications or other NRC approval involving an a significant unreviewed safety question." 51 Fed. Reg. at 7751 col.1 (emphasis added).

WHEREFORE, Petitioners again urge the Staff not to issue a final no significant hazards consideration determination in above-captioned matter.

Respectfully submitted,

February 11, 1991



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CERTIFICATE OF SERVICE

I hereby certify that one copy of the Petitioners' Joint Supplemental Comments on Proposed No Significant Hazards Consideration Determination is being served upon the following by first-class mail, postage prepaid on this 11th day of February, 1991:

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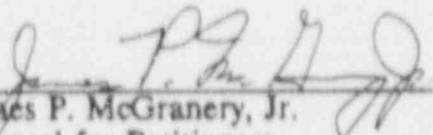
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