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December 15, 1982

(Granting Staff's Request for Protective Order)

Interrogatory No. 5 requests Staff to identify and list the ten most serious Staff criticisms of the IPPSS. Staff objects to this request on the grounds that no list of criticisms exists and neither 10 C.F.R. § 2.741, concerning the production of documents, nor 10 C.F.R.

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§ 2.740, concerning discovery in general, requires the Staff to search through documents to create such a list. Moreover, Staff asserts that the compilation and review of such a list, as well as the formulation of a Staff position, would require extensive Staff effort which would be inconsistent with NRC case law and principles enunciated in Moore's Federal Practice. Staff represents that it has amassed, in response to Interrogatory No. 2, those documents which contain Staff comments on the IPPSS and is making such documents available to UCS/NYPIRG for inspection and copying.

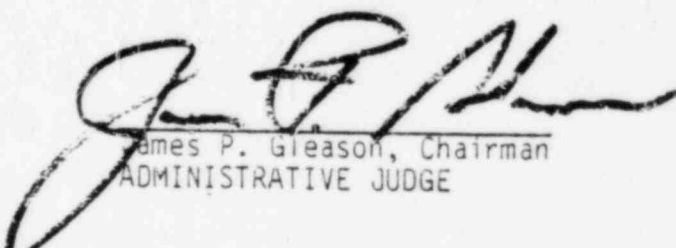
We find that the Staff's provision of these documents, from which UCS/NYPIRG may itself compile a list of criticisms of the IPPSS, fulfills Staff's discovery obligations. Staff is not required to compile a list of criticisms nor to formulate a position on them in response to an interrogatory.

For the foregoing reasons, it is this 15th day of December, 1982

ORDERED

That the Staff's Motion for a Protective Order is granted.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD



James P. Gleason, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland