

January 21, 1983

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD JAN 24 AM 1:36

In the Matter of )  
 )  
UNION ELECTRIC COMPANY ) Docket No. STN 50-483 OL  
 )  
(Callaway Plant, Unit 1) )

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

APPLICANT'S MOTION FOR  
MODIFICATION OF SCHEDULE

In a September 13, 1982 Memorandum and Prehearing Conference Order, the Board established a schedule for the litigation of Mr. Reed's emergency planning contentions. Several unanticipated events now cause Applicant Union Electric Company to request a substantial modification in that schedule, as specified below.

During the course of a conversation between Mr. Reed and Applicant's counsel in mid-November, 1982, the possibility was raised of Mr. Reed and Applicant negotiating a settlement of Mr. Reed's contentions. Applicant's counsel actively pursued this end in a follow-up phone conversation with Mr. Reed, and in a meeting with Mr. Reed in mid-December at Mr. Reed's home. In early January, the settlement abruptly fell through. As a result of the effort spent working on resolving Mr. Reed's concerns, and primarily because of Applicant counsel's increasing expectation in November and December that an agreement would be reached between Applicant and Mr. Reed, Applicant suspended its considerable effort, as well as the efforts of offsite agencies, on motions for summary disposition, which are now due on January 26, 1982.

In addition, Applicant's emergency preparedness personnel have spent an unanticipated amount of time working on the resolution of all of the outstanding concerns and questions of the local, State and FEMA officials on offsite emergency preparedness around the Callaway Plant. This effort has required an extraordinary number of meetings and follow-up activities, in part because of the number of counties and, in general, the vast number of interested officials involved in the issue of offsite emergency preparedness. This effort also will result in a further revision to the offsite (State and local) plans and procedures. Consequently, Applicant has not been able to demand that the full time and attention of its emergency preparedness personnel focus on the work involved in preparing motions for summary disposition, as well as the development of testimony. Applicant has recently engaged additional personnel to assist in its emergency preparedness effort; however, the key, knowledgeable personnel working with the local, State and FEMA officials are personally needed by counsel to assist in the litigation effort.

In view of the unanticipated developments described above, and in the earnest desire to avoid future changes to the hearing schedule, Applicant proposes the following schedule for the resolution of Mr. Reed's emergency planning contentions:

Last day for filing motions for summary disposition	May 20
Last day for filing responses to motions for summary disposition	June 10

Anticipated Board ruling  
on motions for summary  
disposition

July 11

Last day for filing of direct,  
written testimony and qualifi-  
cations of expert witnesses

August 12

Commencement of evidentiary  
hearing

August 30

For the Board's information, Applicant has proposed delaying the due date for motions for summary disposition until May 20 because of its expectation that the revised copy of the State Plan, the Offsite Plan and the Standard Operating Procedures will not all be made available to the parties and to FEMA for its review until approximately April 15, 1983.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

*Deborah B. Bauser*

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Motion for Modification of Schedule" were served this 21st day of January, 1983, by deposit in the U.S. mail, first class, postage prepaid, to the parties on the attached Service List.

Deborah B. Bauser  
Deborah B. Bauser

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