

50-382

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

83 FEB -7 A11:57

TELEPHONE (202) 452-7000
CABLE: NIPHI
TELEX 440909 NIPH UI
WRITER'S DIRECT DIAL NUMBER

(202) 452-7022

BRANCH

IN PITTSBURGH
KIRKPATRICK, LOCKHART, JOHNSON & HUTCHISON
1500 OLIVER BUILDING
PITTSBURGH, PENNSYLVANIA 15222
(412) 355-6500

February 4, 1983

Lawrence Brenner, Esq.
Dr. Peter A. Morris
Dr. James H. Carpenter
Administrative Judges
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gentlemen:

This letter responds to the telephone conference call among the Board and the parties of February 3, 1983, with respect to NRC Inspection Report 83-02 (the "RAT" Inspection) and Suffolk County's cross examination plan respecting the upcoming licensing hearings on the "RAT" Inspection Report.

During the week of January 24, 1983, the Board required the County to provide LILCO and the Staff with a detailed, written description of what the County intended to ask during the "RAT" Inspection litigation. (Transcript, page 19,015.) This order, in effect, required the County to give LILCO and the Staff its cross examination plan. The Board subsequently ruled that the County could decide whether the cross plan provided to the other parties would be the same detailed cross plan given to the Board. (Transcript, pages 19,015-016).

Given the Board's instructions, the County, on February 2, 1983, provided a detailed cross plan regarding the "RAT" Inspection litigation to LILCO and the Staff. The Board was given copies of this cross plan. In addition, the County provided an even more detailed cross plan to the Board.

In a telephone conference call yesterday, the Board informed the parties that while, in general, the level of detail of the cross plan given to LILCO and the Staff was adequate, there were some areas where, in the Board's opinion, additional detail might prove helpful to the LILCO and Staff witnesses at trial. The Board appeared willing to leave to the County's

DS03

February 4, 1983

Page Two

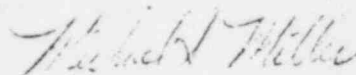
discretion whether such additional detail should be provided. Nevertheless, the Board specifically ordered the County to disclose to the other parties all documents and page cites referenced in the cross plan given to the Board and omitted from the cross plan given to LILCO and the Staff.

The County objects to the Board's decision requiring disclosure of these documents and page references. Given the level of detail in the cross plan already provided to the other parties, the further disclosure ordered by the Board is inappropriate and unnecessary. The County similarly objects to the Board's ruling that the County will be limited to one day of examination. In the County's opinion, no arbitrary time limits should be set for any examination.

Having noted our objections, the information required to be provided is set forth below:

1. LILCO's prefiled QA/QC testimony (pages 163-167) regarding 100% inspection of safety-related work;
2. Staff's prefiled QA/QC testimony (pages 12, 19-24) regarding previous welding violations at Shoreham;
3. LILCO's prefiled QA/QC testimony (page 187) describing Cable Tray Support Analysis Program ("CAB TRAP");
4. Oral QA/QC testimony discussing CAB TRAP (Transcript, pages 12,522 et seq.) and SC Exhibit 75;
5. Inspection Reports 78-12 and 78-15 regarding use of unqualified welding techniques at Shoreham;
6. Regarding plant housekeeping: Inspection Reports 79-16 (Attachment 2.b to Staff's QA/QC prefiled testimony), 82-04 (Attachment 4 to SC's QA/QC prefiled testimony) and 82-27 (SC Exhibit 93); SC Exhibit 70; Transcript, pages 16,440 et seq.

Very truly yours,



Michael S. Miller

MSM:ph

cc: Docketing and Service ✓
T.S. Ellis, III, Esq.
Anthony F. Earley, Jr., Esq.
Bernard M. Bordenick, Esq.