

March 8, 1983

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	Docket Nos. 50-400 OL
AND NORTH CAROLINA EASTERN)	50-401 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear Power)	
Plant, Units 1 and 2))	

APPLICANTS' REVISED PROPOSED SCHEDULE

On February 17, 1983, at the invitation of the Board, Applicants filed a proposed schedule for adjudication of issues for the remainder of the instant proceeding. Applicants' proposed schedule was the focus of negotiations with intervenor parties and NRC Staff at the February 24, 1983 Prehearing Conference and discussions on the record during the Prehearing Conference. Tr. 472-91. Substantial agreement was reached among the parties regarding scheduling issues. For the convenience of the Board and the parties, Applicants Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby submit a Revised Proposed Schedule, reflecting the areas of agreement and compromise reached during the Prehearing Conference.

PHASE I CONTENTIONS

Phase I of the proceeding will be adjudication of the following currently admitted intervenor contentions, which

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generally involve environmental issues:

- Joint Contention II (CANP 5)
- CCNC 4, 12 and 14
- CHANGE 9 and 79(c)
- Wilson Ia-d, I(e)-(f4), I(g), and IVC
- Eddleman 15, 22A & B, 29 & 30 (CANP 6),
37B (CANP 5), 75, 80, 83 and 84

The foregoing contentions, and any other environmental contentions subsequently admitted, will be adjudicated on the following schedule:

June 30, 1983 --	Last day for filing discovery requests on contentions currently admitted by ASLB.
July 29, 1983 --	Last day for filing responses to discovery on contentions currently admitted by ASLB.
90 days after relevant ASLB order admitting contentions --	Last day for filing discovery requests on new/deferred contentions based on NRC Staff's draft environmental statement.
120 days after relevant ASLB order admitting contentions --	Last day for filing responses to discovery on new/deferred contentions based on NRC Staff's draft environmental statement.
September 1, 1983 --	Last day for filing motions for summary disposition.
September 26, 1983 --	Last day to answer any motions for summary disposition.
October 24, 1983 --	Board ruling on any motions for summary disposition.
November 14, 1983 --	Filing of direct written testimony.
December 5, 1983 ^{1/} --	Commencement of hearing.

1/ The date for the commencement of the hearing is subject to the Staff's schedule for issuing the Draft and Final Environmental Impact Statements.

PHASE II CONTENTIONS

Phase II of the proceeding will be adjudication of the following currently admitted intervenor contentions, which generally involve safety issues:

- Joint Contentions I (CANP 3), IV, V, VI, and VII (CANP 2 -- part (2) only)
- CHANGE 44
- Wilson III
- Eddleman 9, 11, 41 (CANP 4), 45, 64(f), 65, 67, 116 and 132

The foregoing contentions, and any subsequently admitted safety contentions, will be adjudicated on the following schedule:

February 15, 1984 -- (or 65 days following completion of Phase I hearing, tr. 475)	Last day for filing discovery requests.
March 16, 1984 --	Last day for filing responses to discovery requests.
April 16, 1984 --	Last day for filing motions for summary disposition.
May 11, 1984 --	Last day to answer any motions for summary disposition.
June 11, 1984 --	Board ruling on any motions for summary disposition.
July 9, 1984 --	Filing of direct written testimony.
July 30, 1984 ^{2/} --	Commencement of hearing as to manage- ment capability issue.
2-4 weeks after end of management capability hearing --	Commencement of hearing on remain- ing Phase II Contentions.

EMERGENCY PREPAREDNESS CONTENTIONS

Assuming that draft off-site plans become available in December, 1983 (and that the draft on-site plan is available as well), and that one or more emergency preparedness contentions are

^{2/} The date for commencement of hearing and intermediate deadlines are dependent on timely conclusion of the Phase I hearing.

admitted, the following tentative schedule is established to adjudicate emergency preparedness issues:

January 30, 1984 --	Filing of proposed emergency preparedness contentions.
February 17, 1984 --	Filing of responses by Applicants and Staff to intervenor proposed contentions.
March 16, 1984 --	Board ruling on proposed contentions; discovery begins.
June 15, 1984 --	Last day for filing discovery requests.
July 16, 1984 --	Last day for filing responses to discovery.
August 31, 1984 --	Last day for filing any motions for summary disposition.
September 25, 1984 --	Last day to answer any motion for summary disposition.
October 19, 1984 --	Board ruling on any motions for summary disposition.
November 12, 1984 --	Filing of direct written testimony.
December 3, 1984 --	Commencement of hearing.

PHYSICAL SECURITY PLAN CONTENTIONS

At the Prehearing Conference, the following schedule was established for adjudicating Physical Security Plan issues (Tr. 528):

March 18, 1983 --	Intervenors to file experts' resumes.
April 18, 1983 --	Deposition of Intervenor proposed experts.
May 9, 1983 --	Staff & Applicants file brief on qualifications of Intervenor's proposed experts.
May 23, 1983 --	Intervenors file reply briefs on qualifications of Intervenor's proposed experts.

June 13, 1983 --	Board ruling on qualifications of Intervenor proposed experts.
(Remainder of schedule assumes Board has qualified an Intervenor expert; following such a ruling, a protective order would be entered and the expert(s) would review designated portion(s) of the plan.)	
August 1, 1983 --	Intervenors file proposed contentions.
August 22, 1983 --	Applicants and Staff file responses to proposed contentions.
September 1, 1983 --	Prehearing conference.
September 22, 1983 --	Board ruling on proposed contentions.
(Remainder of schedule assumes one or more contentions admitted.)	
November 30, 1983 --	Last day for filing discovery requests.
December 30, 1983 --	Last day for responding to discovery requests.
January 30, 1984 --	Filing of direct, written testimony.
February 21, 1984 --	Hearing begins.

DEFERRED SAFETY CONTENTIONS

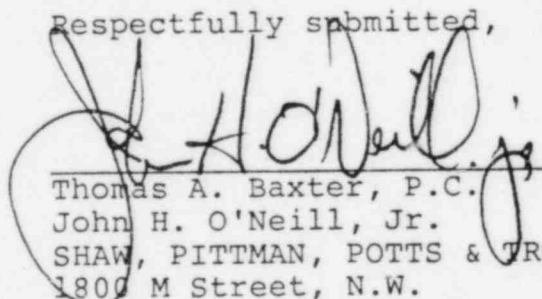
The parties agreed to defer discovery on certain safety contentions until after the conclusion of the Phase I hearing. Parties would not be precluded from filing discovery requests early; however the time for answering interrogatories, producing documents or taking depositions would not begin to run until the conclusion of the Phase I hearing. Tr. 476-78. The safety contentions which have been so deferred include:

- Joint Contentions I (CANP 3) and VII (CANP 2 -- part (2) only)
- Wilson III 3/
- Eddleman 9, 11, 116.

TOLLING DISCOVERY DURING HEARINGS

During hearing sessions, the response time for discovery requests will automatically toll by the number of days of hearing.
Tr. 478-79.

Respectfully submitted,



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Dated: March 8, 1983

3/ The parties also agreed that if any of the proposed control room design contentions were admitted, discovery on such contentions would similarly be deferred.

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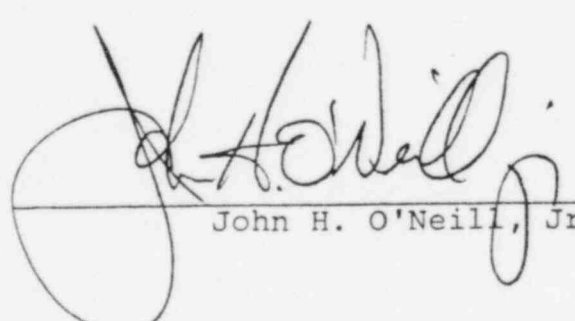
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MUNICIPAL POWER AGENCY

(Shearon Harris Nuclear Power
Plant, Units 1 and 2)

)
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) Docket Nos. 50-400 OL
) 50-401 OL
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Revised Proposed Schedule" and Notices of Appearance of Hill Carrow, Deborah B. Bauser and Pamela H. Anderson, all dated March 8, 1983, were served this 8th day of March, 1983, by deposit in the U.S. mail, first class, postage prepaid upon the attached Service List.



John H. O'Neill, Jr.

Dated: March 8, 1983

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