

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board '82 NOV -1 P1:23

In the Matter of)	
)	
LONG ISLAND LIGHTING COMPANY)	Docket No. 50-322 (OL)
)	
(Shoreham Nuclear Power Station,)	
Unit 1))	

SECRETARY
SERVICE

SCHEDULE

Various schedule matters are covered below concerning:

- (1) LILCO's Supplemental Testimony on
 - (a) Water Hammer Procedures and Training, and
 - (b) SRV's;
- (2) Phase I Emergency Planning;
- (3) Settlements; and
- (4) Future Hearings.

These matters are covered in writing rather than orally to speed our discussion next Tuesday morning.

I. SUPPLEMENTAL TESTIMONY

Attached are affidavits from (a) Messrs. Kreps and Notaro regarding the supplemental water hammer testimony and (b) Messrs. Boseman, Gutmann and Smith on the supplemental SRV testimony. Pursuant to the parties' stipulations and the Board's direction, the attached affidavits provide the means for introducing the supplemental testimony into evidence.

DS 03

At a time convenient for the Board, we propose to introduce the testimony as follows:

(1) Have bound physically into the Transcript the:

- (a) Stipulation Regarding Supplemental Testimony on Water Hammer Procedures and Training, dated September 10, 1982, and Affidavits of Johnny J. Kreps and Jack A. Notaro, dated September 4 and October 13, 1982, respectively.
- (b) Stipulation Regarding Supplemental Testimony on Safety Relief Valve Maintenance and Polymerization, dated September 22, 1982, and Affidavits of John J. Boseman, Richard Gutmann, and Jeffrey L. Smith, dated October 15, 14 and 13, 1982, respectively.

(2) Have marked as LILCO exhibits in evidence:

- (a) "Testimony of Johnny J. Kreps and Jack A. Notaro for the Long Island Lighting Company on Water Hammer Procedures and Training," dated July 9, 1982 (12 pages; Question and Answer 22 crossed out and marked "withdrawn pursuant to stipulation"), with Attachments A to D, namely:
 - A: SP Number 23.121.01, Rev. 2 (56 pages)
 - B: Lesson Plan: Reactor Core Isolation Cooling System (38 pages)
 - C: SIL No. 175, Category 2 (4 pages), and SIL No. 31, Rev. 2, Category 3 (2 pages)
 - D: ARP's 1029, 1090, and 1112 (each of them 1 page)

- !
- (b) "Supplemental Testimony of Jeffrey L. Smith, John J. Boseman and Richard Gutmann Concerning Maintenance of Safety/Relief Valves at Shoreham Nuclear Station," dated August 19, 1982 (13 pages), with four attachments:
1. Professional Qualifications, Richard Gutmann (2 pages)
 2. List of Shoreham Station Procedures (8), Station OQA Procedures (3), NOSD Procedures (1), and Shoreham Technical Specifications (2) relating to SRV operation testing, maintenance and surveillance, plus copies of each such procedure or technical specification (233 pages)
 3. Draft Development, Review and Approval Cycle Schedule for Main Steam System Safety Relief Valve Inspection, Maintenance, Repair and Testing Procedure (1 page)
 4. SIE Documentation/Status Summary (6 pages)
- (c) "Supplemental Testimony of John J. Boseman on Behalf of Long Island Lighting Company Concerning Polymerization of SRV Lubricants," dated August 19, 1982 (4 pages) (no attachments)
- (d) "Further Supplemental Testimony of John J. Boseman on Behalf of Long Island Lighting Company Concerning Polymerization of SRV Lubricants," dated August 31, 1982 (8 pages), with Exhibits 1 to 4, namely:
1. SIL-196, Supplement 10 (3 pages)
 2. Figure 4 (Sheet 1 of 2), Target Rock Safety/Relief Valve Model 7567F Technical Manual, Assembly 7567F-010 (October 1980) (1 page)

3. Figure G, Target Rock Safety/Relief Valve Model 7567F Technical Manual, Assembly 7567F-010 (1 page)
4. Sketch, Target Rock Corp. 2-stage SRV Pilot Section (1 page)

II. PHASE I EMERGENCY PLANNING

A. Due Dates for Phase I Motions to Strike, Motions for Summary Disposition (if any) and Cross Plans

It is probable that the hearings will not reach Phase I EP issues before next January. It is also quite possible, however, that these issues could be reached in December if QA quickens its pace and/or the ICC and Remote Shutdown Panel contentions are settled in whole or part, or, even if ICC and RSP are fully litigated, they take little hearing time. Thus, in our judgment, the deadlines for Phase I motions to strike and cross plans should be set soon enough to permit hearings on Phase I issues in December, if need be.

We propose that (a) motions to strike be due on November 15,^{1/} (b) written responses to these motions, if any, be filed by November 18, and (c) oral argument, if any, be held on November 19. Cross plans, in turn, would be due ten days after the Board rules on the motions.

^{1/} By November 15th the parties will have had over a month to review the prefiled Phase I Emergency Planning testimony and frame any motions to strike they wish to make.

LILCO (and perhaps other parties) are seriously considering filing motions for summary disposition of certain Phase I issues. We do not propose a deadline for the filing of such motions, but we do recognize that if any such motions are not served well in advance of the beginning of hearings on the affected contention(s), they are likely to fail on timeliness grounds.

B. Proposed Settlements

Now pending before the Board are proposed settlements of the following Phase I Emergency Planning contentions, all of them filed with the Board on October 13, 1982, except as noted below:

- 1(A)
- 3
- 5(C)
- 6 (filed October 19, 1982)
- 7(A)
- 8 (covered in the same agreement as 7(A))
- 9
- 10(A)
- 11(D)
- 11(E)
- 11(F)

12(A).

Discussions continue regarding the settlement of EP 1(C) (gaps in siren coverage).

LILCO believes that settlement of still more Phase I EP issues may prove feasible before hearings begin on them.

III. SETTLEMENTS

The discussion below divides the issues in this proceeding into 36 "sets" of contentions. In some cases (e.g., QA, and Phase I Emergency Planning) a single "set" subsumes a number of discrete contentions.

A summary follows of where the proceeding now stands on these 36 sets of contentions; after the summary, more detail is presented on each of the summary categories.

	<u>Summary Categories</u>	<u>Sets of Contentions in the Category</u>
A.	Settlement Efforts Failed and Hearings Completed	8½ <u>2/</u>

2/ SC 27/SOC 3 (Post-Accident Monitoring) appears one-half in Category A and one-half in Category C because this set of contentions was partially the subject of hearings and partially settled.

B. Hearings Completed but Settlement Efforts Continuing	1
C. Settlements Reached and Approved by the Board	13½
D. Settlements Pending Board Approval	1½ <u>3/</u>
E. Settlement Negotiations Near Success	4 <u>4/</u>
F. Negotiations in Early Stages	3
G. Neither Negotiations nor Hearings Begun	4½
H. Hearings Underway	1

It is LILCO's strong desire that Category G cease to exist. The Company is working diligently to that end. On November 16th, or sooner, the parties owe the Board a definitive status report on developments regarding one set of contentions in Category D^{5/} and on all contentions in Categories E to G.

More detail follows:

3/ SC/SOC/NSC EP 1-14 (Phase I Emergency Planning) appears one-half in Category D and one-half in Category G because this set of contentions has been partially settled, pending Board approval, and it also partially remains for future hearings.

4/ SC 5 (Loose Parts Monitoring) appears in Category B also.

5/ SC 31/SOC 19(g) (Electrical Separation).

Category A: Settlement Efforts
Failed and Hearings Completed

<u>Contention No.</u>	<u>Subject</u>	<u>Hearing Dates</u>
SC/SOC 7B	Safety Classification/ Systems Interaction	May 4-7 June 15, 17-18, 22-25 July 6-9, 13-16, 21-22
SC 4	Water Hammer	May 25-27
SC 10	ECCS Core Spray	May 28
SC 11	Valve Failure	June 4, 8-9
SOC 19(e)	Seismic Design	June 9-10
SC/SOC 22 SC 28(a)(vi) SOC 7A(6)	SRV Testing and SRV Challenges	July 27-30 August 3
SC 16	ATWS	August 3-5
SC 27/ SOC 3	Post-Accident Monitoring (partial hearings only) ^{6/}	August 24-25
SC 21	Mark II	August 26-27

^{6/} Half of Post-Accident Monitoring was settled.

!

 Category B: Hearings Completed

 but Settlement Efforts Continuing

<u>Contention</u> <u>No.</u>	<u>Subject</u>	<u>Hearing Dates</u>
SC 5	Loose Parts Monitoring	June 1-4

Category C: Settlements

Reached and Approved by the Board

<u>Contention</u> <u>No.</u>	<u>Subject</u>	<u>Date Accepted by Board</u>
SC 2	Dirt in Diesel Generator Relays	May 7
SC 17	Fire Protection	May 7
SOC 19(j)	Turbine Orientation	May 7
SOC 16	Clad Swelling and Flow Blockage	June 11
SC 28(a)(iii) SOC 7A(3)	Iodine Monitoring	June 15
SC 28(a)(iv) SOC 7A(4)	SPDS	July 8
SOC 9	Notice of Disabled Safety Systems	August 4
SC 28(a)(i) SOC 7A(1)	Cutoff of ECCS	August 4
SC 9	ECCS Pump Blockage	August 25
SC 27/SOC 3	Post-Accident Monitoring (partial settlement only)	October 14
SC 26	ALARA	October 14
SC 19	HF--Procedures	October 14
SC 20	HF--Simulator	October 14

SC 25
SOC 19(a)

RPV Integrity
and Testing

October 14

Category D: Settlements
Pending Board Approval

<u>Contention No.</u>	<u>Subject</u>
SC 31/SOC 19(g)	Electrical Separation
SC/SOC/NSC EP 1-14 (see page 5 above)	Phase I Emergency Planning (partial settlement only)

Category E: Settlement
Negotiations Near Success

<u>Contention No.</u>	<u>Subject</u>
SC 5	Loose Parts Monitoring
SC 24/SOC 19(c) & (d)	Cracking of Materials
SC/SOC 18	HF--Equipment
SC Security 1-12	Plant Security

Category F: Negotiations
in Early Stages

<u>Contention No.</u>	<u>Subject</u>
SC 1	Remote Shutdown Panel
SC 8/SOC 19(h)	Environmental Qualifications
SOC 19(i)	Seismic Qualifications

Category G: Neither
Negotiations Nor Hearings Begun

<u>Contention No.</u>	<u>Subject</u>
SC 3/SOC 8	ICC
SC 23	Containment Isolation
SC 32/SOC 19(f)	Electrical Penetrations
SC/SOC/NSC EP 1-14	Phase I Emergency Planning (partially settled)
SC/SOC/NSC EP ?	Phase II Emergency Planning

Category H: Hearings Underway

<u>Contention No.</u>	<u>Subject</u>	<u>Hearing Dates</u>
SC/SOC 12, SC 13-15	Quality Assurance	September 14-17, 21-24 October 12-15, 27-29 And more to come

IV. SCHEDULE

Hearings began on May 4, 1982. By today, October 29, there have been 16 weeks of hearings spread over the 26 calendar weeks that have elapsed since May 4th. October 29th is the 60th hearing day. At least two weeks that were scheduled for hearings went instead to settlement negotiations, at the parties' request. These negotiations have been ongoing since May 4th, though with peaks and valleys in the intensity of the discussions. Without the significant success of the

settlement process, the hearing time required to complete this proceeding would have been staggering.

Assuming it takes four more hearing weeks to complete QA, a dismal prospect,^{7/} the proceeding will have spent an average of seven hearing days per set of contentions covered so far (11 sets will have been covered in 76 hearing days if QA does in fact end after eight weeks of hearings have been devoted to it).

If we ignore Phase II emergency planning for the moment, and if we assume the successful settlement of all contentions in Categories D and E, then there will remain for post-QA hearings the contentions in Categories F and G. These are:

^{7/} Our 16-day estimate of the time needed to complete QA assumes: (a) four more days of County cross-examination of LILCO; (b) four days for Staff cross of LILCO, LILCO redirect, County recross, and final Board questions for LILCO; (c) four days of County cross of the Staff; and finally (d) (i) two days for LILCO cross of the Staff, Staff redirect, County and LILCO recross, and final Board questions for the Staff, plus (ii) two days for all aspects of the examination of the County's witnesses. This estimate ignores the possibility of brief, additional County examination of LILCO on Torrey Pines findings.

<u>Contention No.</u>	<u>Subject</u>
SC 3/SOC 8	ICC
SC 1	RSP
SC 8/SOC 19(h)	Environmental Qualifications
SOC 19(i)	Seismic Qualifications
SC 23	Containment Isolation
SC 32/SOC 19(f)	Electrical Penetration
SC/SOC/NSC EP 1-14	Phase I Emergency Planning (to the extent not already settled)

It is likely that complete or partial settlement of some of the Category F/G issues will prove feasible once serious discussions can take place on them; thus we do not expect that each of them will require hearings. Conversely, it is possible that settlement efforts on certain contentions in Categories D and/or E may fail, though failure is not probable.

Against this background, LILCO thinks it reasonably prudent to assume that no more than seven sets of contentions will remain for hearings once QA ends (still ignoring Phase II EP). We also think it reasonably prudent to assume that no more than one hearing week, on the average, will be required for each set of contentions,^{8/} that is, a total of 28 days for

^{8/} Admittedly, it was noted on page 12 above that the average hearing time for each set of contentions litigated so far has

(footnote continued)

the seven assumed sets, or roughly seven weeks of post-QA hearings.

We believe that the job can be done in 28 days or less, first, because the parties will continue to reach extra-hearing

(footnote continued)

been seven days. That average is dominated, however, by the unnatural length of the 7B and QA contests. Thus:

<u>Contentions Heard to Date</u>	<u>Number of Hearing Days</u>
Safety Classification/ Systems Interaction	22
Water Hammer	3
ECCS Core Spray	1
Loose Parts Monitoring	4
Valve Failure	2
Seismic Design	2
SRV Tests and Challenges	5
ATWS	2
Post-Accident Monitoring	2
Mark II	2
QA	31 estimate

If 7B and QA had each lasted merely a robust four hearing weeks each, the average time per set of contentions litigated through QA would have been five days.

resolutions of disputes whenever feasible and, second, because hearings on Phase I emergency planning issues are likely to move more briskly than previously thought. Our analysis of the nature of the remaining Phase I contentions and of the prefiled testimony on them suggests that only a few significant disputes must be litigated.

What of the ongoing Staff review of certain Category F/G contentions? The Company has intensified its efforts to understand what remains open, why it is open, and how to close it. We are encouraged and will report in concrete detail on November 16th. We are not sufficiently encouraged, however, to think that all of the affected contentions will be ready for litigation in time to complete each and every one before turning to Phase I EP.

What about rebuttal? We hope there will be little to none, given the length, depth and general sophistication of the record now being compiled.

The foregoing discussion suggests that hearings should end on all matters except Phase II Emergency Planning early in February 1983.

What, finally, of Phase II EP? LILCO remains vitally concerned that progress be made -- progress in terms of the County's production of its own plan^{9/} and of the resumption of

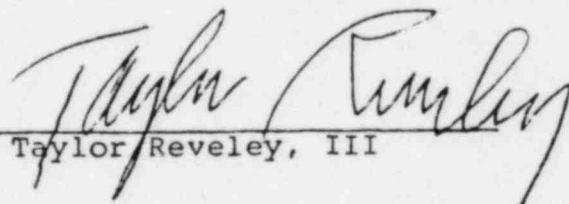
^{9/} The plan was due on October 1, 1982. On September 22, the County indicated a delay until October 18. The 18th passed

(footnote continued)

joint offsite EP work by the County and Company. Joint work has now been suspended for over seven months. The same emphasis that the Board and parties have placed on progress in other areas of this proceeding is even more appropriate in the area of offsite emergency planning. Emphasis there is crucial because of the relative importance of the issues involved and because of the long lead times needed to engage and resolve them.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY


W. Taylor Reveley, III

Hunton & Williams
Post Office Box 1535
Richmond, Virginia 23212

DATED: October 29, 1982

(footnote continued)

without a plan, and on October 26th, the County informed the Board and parties that the plan will not appear until "the last part of November."

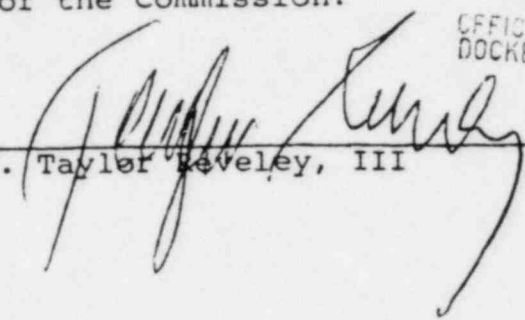
Certificate of Service

I certify that copies of this paper were served by hand today on the Board and counsel present at the hearings. was also mailed to the Secretary of the Commission.

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82 NOV -1 P1:23

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH


W. Taylor Reveley, III

DATED: October 29, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

Before the Atomic Safety and Licensing Board

'82 NOV -1 P1:23

In the Matter of)
LONG ISLAND LIGHTING COMPANY)
(Shoreham Nuclear Power Station,)
Unit 1))

OFFICE OF SECRETARY
DOCKETING & SERVICE
Docket No. 50-322 (OEH)

AFFIDAVIT OF JOHNNY J. KREPS

Johnny J. Kreps, being duly sworn, deposes and says as follows:

1. My name is Johnny J. Kreps. I am co-author of "Testimony of Johnny J. Kreps and Jack A. Notaro for the Long Island Lighting Company on Water Hammer Procedures and Training," which was filed with the Board on July 9, 1982.

2. I hereby solemnly swear and affirm that the testimony referred to in paragraph one (1) above is true and correct to the best of my knowledge and belief.

Johnny J. Kreps
Johnny J. Kreps

STATE OF Texas
COUNTY OF Somervell) SS

Subscribed to and sworn before me this 20 day of October, 1982.

Wesley L. Barnett
Notary Public

My Commission expires: Sept. 4, 1985.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board

'82 NOV -1 P1:23

In the Matter of)
)
LONG ISLAND LIGHTING COMPANY)
)
(Shoreham Nuclear Power Station,)
Unit 1))

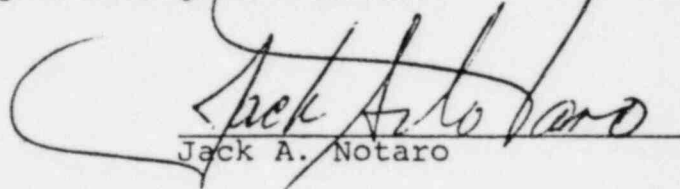
Docket No. 50-322 (for) SECRETARY
DOCKETING & SERVICE
BRANCH

AFFIDAVIT OF JACK A. NOTARO

Jack A. Notaro, being duly sworn, deposes and says as follows:

1. My name is Jack A. Notaro. I am co-author of "Testimony of Johnny J. Kreps and Jack A. Notaro for the Long Island Lighting Company on Water Hammer Procedures and Training," which was filed with the Board on July 9, 1982.

2. I hereby solemnly swear and affirm that the testimony referred to in paragraph one (1) above is true and correct to the best of my knowledge and belief.



Jack A. Notaro

STATE OF New York
COUNTY OF Suffolk) SS

Subscribed to and sworn before me this 13th day of October, 1982.

Leda M. Moncayo
Notary Public

LEDA M. MONCAYO
Notary Public, State of New York
No. 52-2746125
Qualified in Suffolk County
Commission Expires March 30, 1983

My Commission expires: March 30, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED
USNRC

In the Matter of:

LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station, Unit 1)

Docket No. 50-332 (OL) P1:23
82 NOV -1

AFFIDAVIT OF JOHN J. BOSEMAN

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) SS:

John J. Boseman, being duly sworn, desposes and says:
That his name is John J. Boseman. I am the author of Supplemental Testimony of John J. Boseman on Behalf of Long Island Lighting Company Concerning Polymerization of SRV Lubricants and of Further Supplemental Testimony of John J. Boseman on Behalf of Long Island Lighting Company Concerning Polymerization of SRV Lubricants, and one of the co-authors of Supplemental Testimony of Jeffrey L. Smith, John J. Boseman and Richard Gutmann Concerning Maintenance of Safety/Relief Valves at Shoreham Nuclear Station, dated August 19, 1982, August 31, 1982 and August 19, 1982, respectively, and previously filed in this proceeding.

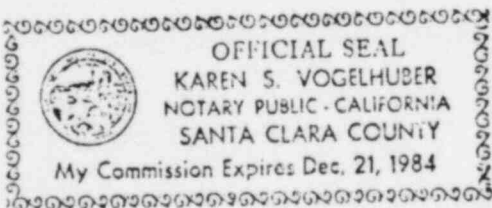
I hereby solemnly swear and affirm that all of the testimony referred to in paragraph one above, of which I am an author or co-author, is true and correct to the best of my knowledge and belief.

15 October 1982
Date

John J. Boseman
John J. Boseman

Subscribed and sworn to before me on 15th day of October, 1982.

Karen S. Vogelhuber
NOTARY PUBLIC, STATE OF CALIFORNIA



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board

In the Matter of)
)
LONG ISLAND LIGHTING COMPANY)
)
(Shoreham Nuclear Power Station,)
Unit 1))

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Docket No. 50-322 (OL)

'82 NOV -1 P1:23

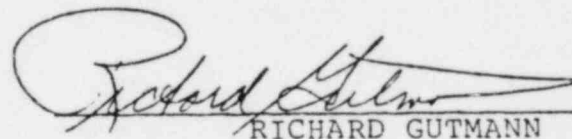
OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

AFFIDAVIT OF RICHARD GUTMANN

Richard Gutmann, being duly sworn, deposes and says as follows:

1. My name is Richard Gutmann. I am one of the authors of Supplemental Testimony of Jeffrey L. Smith, John J. Boseman and Richard Gutmann Concerning Maintenance of Safety/Relief Valves at Shoreham Nuclear Station, dated August 19, 1982, and previously filed in this proceeding.

2. I hereby solemnly swear and affirm that the portions of the testimony referred to in paragraph one and sponsored by me are true and correct to the best of my knowledge and belief.


RICHARD GUTMANN

County of Suffolk)
) ss
State of New York)

Subscribed to and sworn before me
this 14th day of October, 1982.


Notary Public

My commission expires 3/30/84.

NANCY J. SCHMITT
NOTARY PUBLIC, State of New York
No. 52-8826330, Suffolk County
Term Expires March 30, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED
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In the Matter of)
)
LONG ISLAND LIGHTING COMPANY) Docket No. 50-322 (OL)
)
(Shoreham Nuclear Power Station,)
Unit 1))

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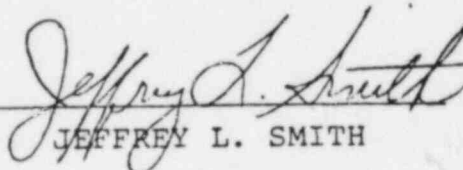
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BRANCH

AFFIDAVIT OF JEFFREY L. SMITH

Jeffrey L. Smith, being duly sworn, deposes and says as follows:

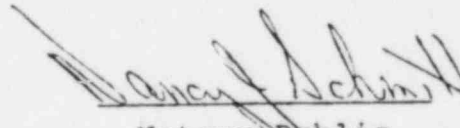
1. My name is Jeffrey L. Smith. I am one of the authors of Supplemental Testimony of Jeffrey L. Smith, John J. Boseman and Richard Gutmann Concerning Maintenance of Safety/Relief Valves at Shoreham Nuclear Station, dated August 19, 1982, and previously filed in this proceeding.

2. I hereby solemnly swear and affirm that the portions of the testimony referred to in paragraph one and sponsored by me are true and correct to the best of my knowledge and belief.


JEFFREY L. SMITH

County of Suffolk)
) ss
State of New York)

Subscribed to and sworn before me
this 13th day of October, 1982.


Notary Public

My commission expires 3/30/84

NANCY J. SCHMITT
NOTARY PUBLIC, State of New York
No. 52 882630, Suffolk County
Term Expires March 30, 1984