UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER AND LIGHT COMPANY AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY

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

Docket Nos. 50-400 OL 50-401 OL

NRC STAFF RESPONSE IN SUPPORT OF DR. WILSON'S MOTION TO WITHDRAW CONTENTION III

On February 15, 1984, Dr. Richard Wilson moved to withdraw his Contention III on management qualification. The Staff supports Dr. Wilson's motion. All other admitted contentions of Dr. Wilson were withdrawn by him in September 1983. Dr. Wilson's Contention II on emergency planning was deferred in the Licensing Board's September 22, 1982 Order. "MEMORANDUM AND ORDER (Reflecting Decisions Made Following Prehearing Conference)" at 31, pending submission by Applicants' of the offsite emergency plan.

Respectfully submitted,

Charles A. Barth

Counsel for NRC Staff

DESIGNATED ORIGINAL \

Certified By

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER AND LIGHT COMPANY AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY

(Shearon Harris Nuclear Power Plant Units 1 and 2)

Docket Nos. 50-400-0L 50-401-0L

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE IN SUPPORT OF DR. WILSON'S MOTION TO WITHDRAW CONTENTION III", in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 24th day of February, 1984.

James L. Kelley, Chairman* Administrative Judge Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, DC 20555 Richard D. Wilson, M.D. 729 Hunter Street Apex, NC 27502

Mr. Glenn O. Bright*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Travis Payne, Esq. 723 W. Johnson Street P.O. Box 12643 Raleigh, NC 27605

Dr. James H. Carpenter*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Linda Little Governor's Waste Management Building 513 Albermarle Building 325 North Salisbury Street Raleigh, NC 27611 Daniel F. Read CHANGE/ELP 5707 Waycross Street Raleigh, NC 27605

Dr. Phyllis Lotchin 108 Bridle Run Chapel Hill, NC 27514

Atomic Safety and Licensing Appeal Board Panel* U.S. Nuclear Regulatory Commission Washington, DC 20555

Bradley W. Jones, Esq. Regional Counsel USNRC, Region II 101 Marietta St., NW Suite 2900 Atlanta, GA 30303

Wells Eddleman 718-A Tredell Street Durham, NC 27701

Atomic Safety and Licensing Board Panel* U.S. Nuclear Regulatory Commission Washington, DC 20555 John Runkle
Executive Coordinator
Conservation Counsel of North Carolina
307 Granville Rd.
Chapel Hill, NC 27514

Richard E. Jones, Esq. Associate General Counsel Carolina Power & Light Company P.O. Box 1551 Raleigh, NC 27602

Docketing and Service Section*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Ruthanne G. Miller, Esq.* Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, Dc 20555

Robert P. Gruber Executive Director Public Staff - NCUC P.O. Box 991 Raleigh, NC 27602

George Trowbridge, Esq.
Thomas A. Baxter, Esq.
John H. O'Neill, Jr., Esq.
Shaw, Pittman, Potts & Trowbridge
1800 M Street, NW
Washington, DC 20036

Charles A. Barth Counsel for NRC Staff