

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-322

LONG ISLAND LIGHTING COMPANY

SHOREHAM NUCLEAR POWER STATION, UNIT 1

ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Regulation, has issued a Decision regarding Petitions filed requesting action with regard to the Shoreham Nuclear Power Station, Unit 1.

On July 14, 1989, James P. McGranery, Jr., filed a Petition on behalf of the Shoreham-Wading River Central School District (School District) with the Executive Director for Operations for the Nuclear Regulatory Commission requesting that certain actions be taken. That Petition was supplemented by submittals dated July 19 and July 21, 1989. By Petition dated July 26, 1989, Mr. McGranery, on behalf of Scientists and Engineers for Secure Energy, Inc. (SE2), requested that the same action be taken on the same bases as that which he requested on behalf of the School District. On July 31, 1989; and January 23, April 5, May 4, November 14, and November 29, 1990, additional supplements to the Petitions filed by the School District and SE2 were submitted. The U.S. Nuclear Regulatory Commission (NRC) resolved the issues raised in the original Petitions and all the supplements, except the November 29, 1990 supplement in a "Director's Decision Pursuant to 10 CFR Section 2.205" (DD-90-8) issued December 20, 1990. The present Decision resolves the issues raised in the November 29, 1990 supplement.

Briefly summarized, the Petitioners alleged that the Long Island Lighting Company (LILCO) violated a March 29, 1990, Confirmatory Order and other regulations by the on site storage of certain reactor vessel internal components,

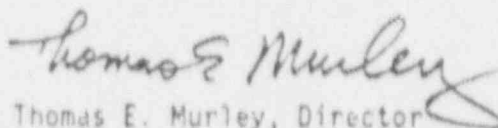
and that the pendency of a LILCO application for a license amendment that would allow shipment of these components off site for disposal also would violate NRC regulations, the Low-Level Waste Policy Amendments Act of 1985 and the National Environmental Policy Act of 1969, as amended, (NEPA) and requested that a Notice of Violation, including a proposed civil penalty and a remedial action plan, be issued.

The Director has now completed his evaluation of the November 29, 1990, supplement. The Director has determined that the Petitioners' requests should be granted, in part, and denied, in part, for the reasons given in the "Director's Decision Pursuant to 10 CFR 2.206" (DD-91-3). This document is available for inspection and copying in the Commission's Public Document Room, The Gelman Building, 2120 L Street, N.W., Washington, D.C., 20555, and at the local public document room for the Shoreham Nuclear Power Station, Unit 1, at the Shoreham-Wading River Public Library, Route 25A, Shoreham, New York, 11786-9687.

A copy of the Decision will be filed with the Secretary of the Commission for review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided in 10 CFR 2.206(c), the Decision will constitute the final action of the Commission 25 days after issuance unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland this 14th day of May 1991.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Thomas E. Murley, Director  
Office of Nuclear Reactor Regulation