

461

SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

1800 M STREET, N. W.
WASHINGTON, D. C. 20006

(202) 822-1000

84 1115 A10

TELECOPIER

(202) 822-1099 & 822-1199

OFFICE

DOCKET

RARIFAX 100

(202) 822-1072

TELEX

89-2693 (SHAWLAW WSH)

CABLE "SHAWLAW"

JOHN F. DEALY*

B. SCOTT CUSTER, JR.

COUNSEL

DEBORAH S. BAUSER
SCOTT A. ANENBERG
CAMPBELL KILLEFER
PAUL M. THOMAS
JOHN M. BRYSON, II
GEORGE F. ALBRIGHT, JR.*
DAVID J. CYNAMON
SETH H. HOOGASIAN
SHEILA MCC. HARVEY
DELISSA A. RIDGWAY
KENNETH J. HAUTMAN
DAVID LAWRENCE MILLER
FREDERICK L. KLEIN
STEVEN P. PITLER
RICHARD J. PARRINO
ELLEN A. FREDL
ROBERT C. BOEHM
MARIE N. DOLAND
THOMAS C. HILL
DIANE E. BURKLEY
L. DUANE CHEEK
HANNAH E. M. LIEBERMAN
JUDITH A. SANDLER
EDWARD D. YOUNG, III
ANDREW D. ELLIS
RICHARD A. SAMP
THOMAS E. CROCKER, JR.
VICKI R. HARDING
PETER J. FERRARA
HELEN TORELLI

MARTHA BOONE ROWAN*
KENNETH R. MILLER
WENDELIN A. WHITE
STANLEY M. BARG
LESLIE K. SMITH
VIRGINIA S. RUTLEDGE
KATHERINE P. CHEEK
TRAVIS T. BROWN, JR.
RICHARD H. KRONTHAL
STEPHEN B. HEIMANN
SANDRA E. BRUSCA
EILEEN L. BROWNELL
PAMELA H. ANDERSON
ALEXANDER D. TOMASZCZUK
JEFFREY J. A. GIBBS
LAURENCE W. COHEN
PHILIP D. PORTER
MICHAEL A. SWIGER
ELLEN SHERIFF
ANITA J. FINKELSTEIN
EILEEN M. GLEIMER
DAVID R. SAHR
C. BOWDOIN TRAIN
JEFFREY W. KAMPELMAN
KENNETH A. GALLO
KENNETH D. AUERBACH
ALAN D. WASSERMAN
DAVID K. RYAN
RICHARD K. A. BECKER
WILBERT WASHINGTON II

* NOT ADMITTED IN D.C.

RAMSAY D. POTTS, P.C.
STUART L. PITTMAN, P.C.
GEORGE F. TROWBRIDGE, P.C.
STEPHEN D. POTTS, P.C.
GERALD CHARNOFF, P.C.
PHILIP D. BOSTWICK, P.C.
R. TIMOTHY HANLON, P.C.
GEORGE M. ROGERS, JR., P.C.
FREDA A. LITTLE, P.C.
JOHN B. RHINELANDER, P.C.
BRUCE W. CHURCHILL, P.C.
LESLIE A. NICHOLSON, JR., P.C.
MARTIN D. KRALL, P.C.
RICHARD J. KENDALL, P.C.
JAY E. SILBERG, P.C.
BARBARA M. ROSSOTTI, P.C.
GEORGE V. ALLEN, JR., P.C.
FRED DRASNER, P.C.
R. KENLY WEBSTER, P.C.
NATHANIEL P. BREED, JR., P.C.
MARK AUGENBLICK, P.C.
ERNEST L. BLAKE, JR., P.C.
CARLETON S. JONES, P.C.
THOMAS A. BAXTER, P.C.
JAMES M. BURGER, P.C.
SHELDON J. WEISEL, P.C.
J. PATRICK HICKEY, P.C.
J. THOMAS LENHART, P.C.
STEVEN L. MELTZER, P.C.
DEAN D. AULICK, P.C.

JOHN ENGEL, P.C.
C. THOMAS HICKS III, P.C.
CHARLES B. TENKIN, P.C.
STEPHEN B. HUTTLER, P.C.
WINTHROP N. BROWN, P.C.
JAMES B. HAMLIN, P.C.
RANDAL B. KELL, P.C.
ROBERT E. ZAHLER, P.C.
ROBERT B. ROBBINS, P.C.
STEVEN M. LUCAS, P.C.
DAVID M. RUBENSTEIN, P.C.
MATIAS F. TRAVIESO DIAZ, P.C.
VICTORIA J. PERKINS, P.C.
JOHN H. ONEILL, JR., P.C.
JAY A. EPSTIEN, P.C.
JEFFERY L. YABLON, P.C.
JACK MCKAY, P.C.
RICHARD E. GALEN
ELISABETH M. RENDLETON
HARRY H. GLASSPIEGEL
THOMAS H. MCCORMICK
WILLIAM P. BARR
CHARLES H. MONTANGE
JEAN M. GALLO, AY
JOHN L. CARR, JR.
PHILIP J. HARVEY
ROBERT M. GORDON
BARBARA J. MORGAN
BONNIE S. GOTTLIEB
HOWARD H. SHAFERMAN

October 12, 1984

WRITER'S DIRECT DIAL NUMBER

822-1227

James L. Kelley, Esquire
Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of Carolina Power & Light Company
and North Carolina Eastern Municipal Power Agency
(Shearon Harris Nuclear Power Plant)
Docket No. 50-400 OL

Administrative Judges Kelley, Bright and Carpenter:

Enclosed for your consideration, is a "Joint Motion For Approval Of Stipulation Codifying Certain Admitted Contentions," submitted jointly by Applicants, Mr. Eddleman, and the NRC Staff, along with the associated "Joint Stipulation Codifying Certain Admitted Contentions" and a proposed "Order Approving Joint Stipulation Codifying Certain Admitted Contentions." Please note that the first part of footnote 1 of the "Joint Stipulation" has been rendered obsolete by the Board's October 4, 1984 order ruling on Eddleman Contention 215.

8410160211 841012
PDR ADCCK 05000400
G PDR

DS03

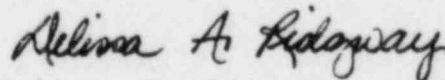
SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

Administrative Judges Kelly,
Bright and Carpenter
October 12, 1984
Page 2

In addition, Applicants wish to point out -- for the clarity of the record -- several minor clerical errors noted in our review of the Board's August 3, 1984 "Final Set Of Rulings On Admissibility Of Offsite Emergency Planning Contentions, Ruling On Petition For Waiver Of Need For Power Rule, And Notice Of Upcoming Telephone Conference Call." On page 51 of the August 3 order, Wilson Contention 12(b)(8) is mistakenly listed as "12(8)." Similarly, on page 54 of that order, Wilson Contention 12(b)(7) is mistakenly listed as "12(7)." Finally, the discussion of EPJ-5 on page 53 of the August 3 order mistakenly refers to Eddleman Contentions "262, 263(A)" rather than the correct 235 and 236(A). (See page 4 of the 8/3/84 order, which explains that Eddleman 235 and Eddleman 236(A) are "considered later with Wilson 7").

Respectfully submitted,



Delissa A. Ridgway
Counsel for Applicants

Enclosures
cc: Service List (w/enc.)
DAR:lam

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY)
and NORTH CAROLINA EASTERN) Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant))

SERVICE LIST

James L. Kelley, Esquire
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Charles A. Barth, Esquire
Janice E. Moore, Esquire
Office of Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

Mr. Daniel F. Read, President
CHANGE
Post Office Box 2151
Raleigh, North Carolina 27602

John D. Runkle, Esquire
Conservation Council of
North Carolina
307 Granville Road
Chapel Hill, North Carolina 27511

M. Travis Payne, Esquire
Edelstein and Payne
Post Office Box 12607
Raleigh, North Carolina 27605

Dr. Richard D. Wilson
729 Hunter Street
Apex, North Carolina 27502

Mr. Wells Eddleman
718-A Iredell Street
Durham, North Carolina 27705

Richard E. Jones, Esquire
Vice President and Senior Counsel
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Dr. Linda W. Little
Governor's Waste Management Board
513 Albemarle Building
325 North Salisbury Street
Raleigh, North Carolina 27611

Bradley W. Jones, Esquire
U.S. Nuclear Regulatory Commission
Region II
101 Marietta Street
Atlanta, Georgia 30303

Steven F. Crockett, Esquire
Atomic Safety and
Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Robert P. Gruber
Executive Director
Public Staff - NCUC
Post Office Box 991
Raleigh, North Carolina 27602

Administrative Judge Harry Foreman
Box 395 Mayo
University of Minnesota
Minneapolis, Minnesota 55455

Spence W. Perry, Esquire
Associate General Counsel
FEMA
500 C Street, S.W., Suite 480
Washington, D.C. 20740