

October 12, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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))	

JOINT MOTION FOR APPROVAL OF STIPULATION
CODIFYING CERTAIN ADMITTED CONTENTIONS

In its June 14, 1984 "Further Rulings on Admissibility of Offsite Emergency Planning Contentions Submitted By Intervenor Eddleman," the Licensing Board admitted as issues in this proceeding parts of Eddleman proposed Contentions 30, 57-C-3, 57-C-10, 57-C-13 and 224. In addition, in its 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," the Board admitted parts of Eddleman proposed Contentions 57-C-7, 213-a, and 240. However, the Licensing Board's June 14, 1984 and August 3, 1984 orders did not specify the precise verbiage of each of the contentions as admitted.

Both for the convenience of all parties and the Licensing Board (as well as the Appeal Board and any higher reviewer of the Board's decision), and in fairness to Applicants (who bear

the burden of proof regarding each contention admitted for litigation), Applicants, intervenor Wells Eddleman, and the NRC Staff have entered into the attached "Joint Stipulation Codifying Certain Admitted Contentions." Accordingly, the parties to the Joint Stipulation hereby move the Licensing Board to enter an Order approving the Joint Stipulation and adopting the text of Eddleman Contentions 30, 57-C-3, 57-C-7, 57-C-10, 57-C-13, 213-a, 224, and 240 as set forth therein as the statement of these issues for litigation. A proposed Order granting the instant Joint Motion is provided for the Board's consideration.

Respectfully submitted,

Wells Eddleman 8/22/84
Wells Eddleman Date

Charles A. Barth
Charles A. Barth Date
Janice E. Moore
Counsel for NRC Staff

Delissa A. Ridgway 10/11/84
Thomas A. Baxter, P.C. Date
Delissa A. Ridgway
Counsel for Applicants

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ORDER APPROVING JOINT STIPULATION
CODIFYING CERTAIN ADMITTED CONTENTIONS

On October 12, 1984, the Atomic Safety and Licensing Board was served with a Joint Motion, filed by several parties to the captioned proceeding, requesting approval of the "Joint Stipulation Codifying Certain Admitted Contentions" attached thereto.

According to the Joint Motion, the subject Stipulation was entered into by Mr. Wells Eddleman, the NRC Staff, and the Applicants, to memorialize their agreement on the precise wording of certain contentions which were admitted in part, but not codified, by the Board's June 14, 1984 "Further Rulings on Admissibility of Offsite Emergency Planning Contentions Submitted By Intervenor Eddleman," and by 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."

The Joint Motion is hereby GRANTED and it is hereby ORDERED that Eddleman Contentions 30, 57-C-3, 57-C-7, 57-C-10, 57-C-13, 213-a, 224, and 240 are codified for litigation as specified in the Joint Stipulation.

THE ATOMIC SAFETY AND
LICENSING BOARD

James L. Kelley, Chairman
ADMINISTRATIVE JUDGE

Dr. James H. Carpenter
ADMINISTRATIVE JUDGE

Glenn O. Bright
ADMINISTRATIVE JUDGE

Bethesda, Maryland
October __, 1984

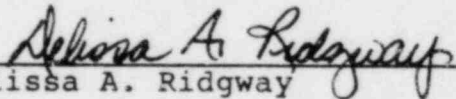
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Joint Motion For Approval Of Stipulation Codifying Certain Admitted Contentions," "Joint Stipulation Codifying Certain Admitted Contentions," and "Order Approving Joint Stipulation Codifying Certain Admitted Contentions" were served this 12th day of October, 1984, by deposit in the U.S. mail, first class, postage prepaid, upon the parties listed on the attached Service List.



Delissa A. Ridgway

Dated: October 12, 1984

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NUCLEAR REGULATORY COMMISSION

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