

October 24, 1984

RELATED CORRESPONDENCE

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

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

LILCO'S MOTION TO ADMIT SUPPLEMENTAL TESTIMONY OF DONALD O. JOHNSON,
DUANE P. JOHNSON AND LEE A. SWANGER ON BEHALF OF LONG ISLAND
LIGHTING COMPANY REGARDING AE PISTON SKIRTS AT SHOREHAM

Long Island Lighting Company (LILCO), for good cause, moves the Board for leave to file the attached Supplemental Testimony of Donald O. Johnson, Duane P. Johnson and Lee A. Swanger. In support of such motion, LILCO states the following:

(1) The attached testimony is relevant and material to the apparent conflict in the evidence (e.g., Tr. at 22299-302, 22312-318, 23781-811) presented in this proceeding on the subject of the polishing or non-polishing of the stud boss area in the AE piston skirts operated in the R-5 prototype engine. This issue was raised for the first time during cross-examination of LILCO's panel on the Shoreham AE pistons.

(2) The attached testimony is necessary to clarify the record regarding interpretations by previous LILCO witnesses of language in a memorandum dated February 3, 1984 in LILCO's Exhibit P-29. Certain LILCO witnesses gave testimony on the

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assumption that the memorandum could be construed to mean that the highly stressed area of the stud boss region on the R-5 pistons was polished. Subsequently, Dr. David Harris testified and informed the Board and the parties that he, Dr. Duane Johnson and Donald Johnson had recently inspected the R-5 piston skirts and confirmed that there was no polishing of the highly stressed regions of the R-5 bosses and that the February 3 memorandum had been misconstrued in this regard. (Tr. 23,781-806) Given the prior testimony concerning the memorandum, the Board indicated that the appropriate way to clarify the record would be for LILCO to produce witnesses with first hand knowledge. (Tr. 23,810-811) Through the attached testimony, LILCO produces the author of the February 3 memorandum, Mr. Donald Johnson, to furnish first-hand evidence as to its meaning. LILCO also produces Drs. Johnson and Swanger to clarify their earlier testimony in light of their recent inspections of the R-5 pistons and in light of a correct interpretation of the memorandum.

(3) The attached testimony is not cumulative of evidence previously submitted and is necessary to make the record fully and accurately reflect the facts.

(4) Moreover, the attached testimony will not delay this proceeding or prejudice the other parties. The parties cannot claim surprise by this testimony because they were

informed of its substance through Dr. Harris' testimony on October 1, 1984. In addition, the parties will have ample time to review the testimony before it is presented before the Board. Counsel for Suffolk County has advised LILCO that this testimony, if presented, should be offered and cross-examined prior to the cross-examination of the County's piston panel. LILCO has no objection to this.

WHEREFORE, LILCO respectfully requests that the Board admit the Supplemental Testimony of Donald O. Johnson, Duane P. Johnson And Lee A. Swanger On Behalf Of Long Island Lighting Company Regarding AE Piston Skirts At Shoreham.

Respectfully submitted,
LONG ISLAND LIGHTING COMPANY

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