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RELATED CORRESPONDENCE

Suffolk County, September 5, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED

'84 SEP -7 A11:12

In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station,
Unit 1)

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Docket No. 50-322-OL

SUFFOLK COUNTY'S MOTION TO STRIKE PORTIONS OF
THE JOINT TESTIMONY OF CARL H. BERLINGER, ET AL.

Pursuant to 10 C.F.R. §2.743(c), Suffolk County moves to strike portions of the joint testimony of Carl H. Berlinger, et al., filed on August 30 on behalf of the NRC Staff concerning the County's contentions relating to the Shoreham EDGs.

The particular testimony objected to by the County is the hearsay testimony contained in the first question and answer appearing on page 53 of the Staff testimony sponsored by Mr. Henriksen and Professor Sarsten. That testimony is based upon statements made in a report by Ricardo Consulting Engineers, Ltd. (Exhibit 7 to the Staff testimony) concerning excessive piston side thrust load. Mr. Henriksen and Professor Sarsten apparently lack the necessary expertise to testify on the subject of excessive piston side thrust, as evidenced by their total reliance upon the statements made in the Ricardo report for their testimony.

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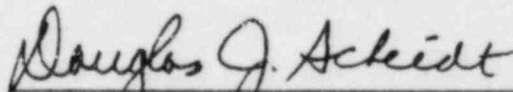
add: J. Larn
OCA

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It does not appear that the author of the Ricardo report will testify as a witness in this proceeding. If the testimony of the Staff's witnesses is not stricken, as well as the report on which it is based, the County will be denied an adequate opportunity on cross-examination to probe the reliability of and the bases for the statements and conclusions made in the report upon which the witnesses rely. Should the author of the Ricardo report be made available for cross-examination during these proceedings, thereby allowing the County the opportunity to probe the bases for the statements made in the report and relied upon by Mr. Henriksen and Professor Sarsten, the County will withdraw its objections to the Ricardo report.

Respectfully submitted,

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NUCLEAR REGULATORY COMMISSION

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LONG ISLAND LIGHTING COMPANY)

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CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY'S MOTION TO STRIKE PORTIONS OF THE JOINT TESTIMONY OF CARL H. BERLINGER, ET AL., dated September 5, 1984, have been sent to the following this 5th day of September, 1984, by U.S. mail, by hand when indicated by one asterisk, and by Federal Express when indicated by two asterisks.

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DATE: September 5, 1984