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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

DOCKETER  
USNRC

\*84 SEP 14 P2:28

Before Administrative Judges:  
Sheldon J. Wolfe, Chairman  
Dr. Jerry R. Kline  
Dr. George A. Ferguson

OFFICE OF SECRETARY  
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In the Matter of  
VIRGINIA ELECTRIC AND POWER COMPANY  
(North Anna Power Station,  
Units 1 & 2)  
\_\_\_\_\_

) NRC Docket Nos. 50-338 OLA-1  
) 50-339 OLA-1  
) (ASLBP Docket No. 83-481-01 LA)  
) NRC Docket Nos. 50-338 OLA-2  
) 50-339 OLA-2  
) (ASLBP Docket No. 83-482-02 LA)

September 13, 1984

ORDER

(Memorialization of Supplemental Special Prehearing Conference)

On September 7, 1984, the supplemental § 2.751a special prehearing conference was held with respect to both cases in Bethesda, Maryland. Applicant was represented by Michael Maupin, Esq. The NRC Staff was represented by Henry McGurren, Esq., and James Dougherty, Esq., represented Concerned Citizens of Louisa County (CCLC).

After Applicant's counsel discussed the status of its cooperative agreement with the Department of Energy on a dry cask demonstration program and Applicant's efforts to secure a license from NRC for a dry cask facility at the Surry plant, the Board heard oral argument by counsel on CCLC's contentions submitted on July 30, 1984 in Cases OLA-1

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and OLA-2.\* (Tr. 90-165). Counsel for CCLC withdrew Contention 2 in Case OLA-1. (Tr. 128-129). During the course of the oral arguments the Board stated that if, in addition to oral argument, counsel desired to respond further in writing, the Board would grant any requests for leave to file written responses. (Tr. 109-110).

With respect to Contention 4 in Case OLA-1, as suggested by counsel, the Board directed that within two weeks counsel should prepare and submit to the Board for its approval a protective order and non-disclosure affidavits. If, after reviewing the physical protection system documentation, CCLC concludes that there are no inadequacies, it will notify the Board that it withdraws this contention. (Tr. 145-146).

The Board requested that counsel submit briefs as to whether there have been any licensing board, appeal board, Commission, and federal court rulings on the question of whether Table S-4 applies only in construction permit proceedings or whether that table is applicable also in operating license amendment cases. The Board invited counsel to present in their briefs any arguments with respect to that question that had not been presented during the oral argument. The briefs are to be filed simultaneously within two weeks of the date of this conference,

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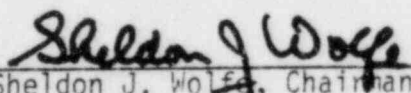
\* On August 14, 1984, CCLC submitted a revised basis for Contention 4 in Case OLA-1.

and, within five days thereafter, any counsel may respond to the initial briefs of other counsel. (Tr. 168-170).

Pursuant to 10 C.F.R. § 2.751a(d), objections may be filed by Applicant and CCLC within five (5) days after service of this Order, except that the Staff may file objections within ten (10) days after service.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Sheldon J. Wolf, Chairman  
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland  
this 13th day of September, 1984.