UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER AND LIGHT COMPANY AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY

(Shearon Harris L. lear Power Plant, Units 1 and 2) Docket Nos. 50-400 OL 50-401 OL

NRC STAFF MOTION TO SUPPLEMENT THE RECORD

I. INTRODUCTION

The Staff of the Nuclear Regulatory Commission (Staff) moves the Licensing Board for an order receiving into evidence as NRC Staff Exhibit 7 the "Affidavit of Armando S. Masciantonio, Richard A. Kendall and Robert C. Jones, Jr. In Further Response to Eddleman Contention 9A."

II. DISCUSSION

As part of the Staff's testimony concerning Eddleman Contention 9A, the Staff indicated that it had not yet reviewed certain tests and analyses concerning defects noted in Barton Transmitters in Information Notice 83-72. NRC Staff Testimony of Armando Masciantonio on Eddleman Contention 9, ff. Tr. 5567 at 9. During the cross-examination of the Staff's witness, Staff Counsel indicated to the Board and parties that the review could be completed shortly, and suggested that the Staff could submit an affidavit setting forth the results of its review. Tr. 5692-5693. None of the parties had any objection to the submission of this affidavit. Mr. Eddleman indicated that he did not wish to cross-examine the Staff on the contents of the affidavit. Tr. 5770.

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In accordance with Staff Counsel's commitment, the Staff has completed its review of the pertinent analyses and tests. The results of this review are set forth in the affidavit of Messrs. Masciantonio, Kendall, and Jones. The Staff requests that this affidavit be received into evidence as NRC Staff Exhibit 7.

III. CONCLUSION

For the reasons set forth above, the Staff moves the Licensing Board for an order receiving the above-described affidavit into evidence as NRC Staff Exhibit 7, thus completing the record on Eddleman Contention 9A.

Respectfully submitted,

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Janice E. Moore Counsel for NRC Staff

Dated at Bethesda, Maryland this 20th day of November, 1984