

procedure would have prevented it from having a full exposition of the facts or have prejudiced it. As the Appeal Board concluded:

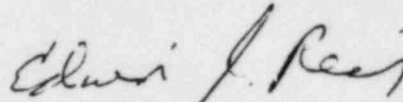
Had the County continued to participate in the matter, it might have been able to show that prejudice had, in fact, resulted, or that additional oral cross-examination before the Board was needed. (The Board, of course, would likewise have been accorded an opportunity to assess the County's concerns in this regard.) The County's decision to withdraw from participation in these matters deprives its argument on appeal of any substance. [ALAB-788 at 143, footnote omitted].

In sum, no important procedural or policy question is involved in the Boards' prescription of procedural rules for the conduct of the on-site emergency planning aspects of the hearing so as to provide for the grant of a petition for review under 10 CFR § 2.786(b)(4).

III. CONCLUSION

None of the issues raised by the intervenor warrant Commission review under 10 CFR § 2.786(b)(4), and the petition for review should be denied.

Respectfully submitted,



Edwin J. Reis
Assistant Chief Hearing Counsel

Dated at Bethesda, Maryland
this 5th day of December, 1984

BEFORE THE COMMISSION

Docket No. 50-322-1
(OL)

CERTIFICATE OF SERVICE

I hereby certify that copies of Notification of Error in "NRC STAFF'S OPPOSITION TO SUFFOLK COUNTY PETITION FOR REVIEW OF ALAB-788" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system this 6th day of December, 1984:

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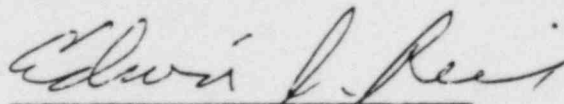
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