#### UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD P3:18

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

OFFICE OF SECRETARY DOCKETING & SERVICE BRANCH

Docket No. 50-322-1 (OL)

fee ..

## NRC STAFF RESPONSE TO SUFFOLK COUNTY AND NEW YORK STATE EDG LOAD CONTENTION

Pursuant to the schedule agreed to by the parties and adopted by the Board on November 16, 1984, Suffolk County and New York State filed a contention challenging the proposed 3300 kW rating for the Shoreham TDI emergency diesel generators ("EDGs") on December 17, 1984. The contention assests that the EDGs with a maximum "qualified load" of 3300 kW do not meet the requirements of GDC 17 in that:

- a) The "qualified load" of 3300 kW is inadequate to handle the maximum loads that may be imposed upon the EDGs and there is no overload valing.
- b) In contrast to EDGs at other plants, there is little or no margin between the qualified load and the "maximum emergency service loads."
- c) The EDG qualification test run performed by LILCO was inadequate to assure that the EDGs are capable of reliable operation at 3300 kW.

Contention at 1. Appended to the Contention are "factual matters supporting the [contention]" (Contention \* 6) and an Affidavit of Dale G. Bridenbaugh.

DS07

The Staff believes that the contention, as supplemented by the "factual matters" and Mr. Bridenbaugh's Affidavit, meets the basis and specificity requirements of 10 C.F.R. §2.714. The Staff therefore does not oppose the admission of the contention provided it is limited in scope to the matters set forth in the "factual matters", and the Bridenbaugh affidavit. The staff does suggest that, for ease of litigation, the contention be divided into what the staff believes are its two constituent parts:

1) A qualified load of 3300 kW is (for the reasons provided in (a) and (b) of the contention and supporting documentation) inadequate for the EDGs at Shoreham;

and

2) The qualification testing was inadequate to assure that the EDGs are capable of reliable operation at 3300 kW.

Respectfully submitted,

Robert G Perliage

Robert G. Perlis Counsel for NRC Staff

Dated at Bethesda, Maryland this 27th day of December, 1984

# UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

## BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

LONG ISLAND LIGHTING COMPANY

(Shoreham Nuclear Power Station, Unit 1)

Docket No. 50-322-1

(OL)

## CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO SUFFOLK COUNTY AND NEW YORK STATE EDG LOAD CONTENTION" 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, through deposit in the Nuclear Regulatory Commission's internal mail system, this 27th day of December, 1984.

Lawrence Brenner, Esq.\*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. George A. Ferguson \*\*
Administrative Judge
School of Engineering
Howard University
2300 - 6th Street, N.W.
Washington, D.C. 20059

Dr. Peter A. Morris\*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Jonathan D. Feinberg, Esq. New York State Department of Public Service Three Empire State Plaza Albany, NY 12223 Fabian G. Palomino, Esq. Special Counsel to the Governor Executive Chamber State Capitol Albany, NY 12224

Howard L. Blau, Esq. 217 Newbridge Road Hicksville, NY 11801

W. Taylor Reveley III, Esq. Hunton & Williams 707 East Main Street Richmond, VA 23212

Cherif Sedkey, Esq. Kirkpatrick, Lockhart, Johnson & Hutchison 1500 Oliver Building Pittsburgh, PA 15222 Stephen B. Latham, Esq. John F. Shea, III, Esq. Twomey, Latham & Shea Attorneys at Law P.O. Box 398 33 West Second Street Riverhead, NY 11901

Atomic Safety and Licensing Board Panel\* U.S. Nuclear Regulatory Commission Washington, DC 20555

Atomic Safety and Licensing
Appeal Board Panel\*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Gerald C. Crotty, Esq. Ben Wiles, Esq. Counsel to the Governor Executive Chamber State Capitol Albany, NY 12224 Herbert H. Brown, Esq. Lawrence Coe Lanpher, Esq. Karla J. Letsche, Esq. Kirkpatrick and Lockhart 1900 M Street, N.W. 8th Floor Washington, DC 20036

Docketing and Service Section\*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

James B. Dougherty, Esq. 3045 Porter Street, NW Washington, DC 20008

Peter S. Everett, Esq. Hunton & Williams 2000 Pennsylvania Avenue, NW Washington, DC 20036

Robert Abrams, Esq.
Attorney General of the State
of New York
Attn: Peter Bienstock, Esq.
Department of Law
State of New York
Two World Trade Center
Room 46-14
New York, NY 10047

Sherwin E. Turk

Sherior ETule

## COURTESY COPY LIST

Edward M. Barrett, Esq. General Counsel Long Island Lighting Company 250 Old County Road Mingola, NY 11501

Mr. Brian McCaffrey Long Island Lighting Company Shoreham Nuclear Power Station P.O. Box 618 North Country Road Wading River, NY 11792

Marc W. Goldsmith Energy Research Group, Inc. 400-1 Totten Pond Road Waltham, MA 02154

Martin Bradley Ashare, Esq. Suffolk County Attorney H. Lee Dennison Building Veteran's Memorial Highway Hauppauge, NY 11788

Ms. Nora Bredes Shoreham Opponents Coalition 195 East Main Street Smithtown, NY 11787

Chris Nolin
New York State Assembly
Energy Committee
626 Legislative Office Building
Albany, New York 12248

MHB Technical Associates 1723 Hamilton Avenue Suite K San Jose, CA 95125

Hon. Peter Cohalan Suffolk County Executive County Executive/Legislative Bldg. Veteran's Memorial Highway Hauppauge, NY 11788

Mr. Jay Dunkleberger New York State Energy Office Agency Building 2 Empire State Plaza Albany, New York 12223

Leon Friedman, Esq. Costigan, Hyman & Hyman 120 Mineola Boulevard Mineola, NY 11501