

RELATED CORRESPONDENCE

LILCO, February 11, 1985

DOCKETED  
NRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'85 FEB 11 P4:36

Before the Atomic Safety and Licensing Board

OFFICE OF TECHNICAL  
DOCKETING & SERVICE  
BRANCH

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

DOCKET NUMBER  
PROD. & UTIL. FAC. 50-3220

LILCO'S MOTION TO STRIKE  
PORTIONS OF NRC STAFF TESTIMONY OF  
JOHN L. KNOX AND PORTIONS OF NRC STAFF  
JOINT TESTIMONY OF SPENCER H. BUSH, ET AL.

(1) LILCO, by counsel, moves to strike the first and second full paragraphs on page 6 of the testimony of NRC Staff witness John L. Knox on the grounds that such testimony is unresponsive, unfounded and not within the scope of diesel generator load contention a(i) and (iv). First, this testimony is unresponsive because it has nothing whatever to do with intermittent and cyclic loads, the subject of the question. The question concerns estimates relating to the worst case cyclic and intermittent loads. The portions of the testimony that LILCO seeks stricken do not relate in any way to cyclic or intermittent loads. Hence the answer is unresponsive and should be stricken.

8502130016 850211  
PDR ADOCK 05000322  
PDR  
e

D502

Second, the portions of the testimony LILCO seeks stricken here include opinions concerning break mean effective pressures (BMEP's) that may result from certain fuel rack positions or fuel settings on the diesel engine. Such opinions require expertise in mechanics, dynamics and thermodynamics. NRC Staff witness Knox has no such expertise. Rather, he is an electrical engineer in the Power Systems Branch. Nothing in his testimony or resume indicates that he has any expertise or training in the operation or analysis of diesel engines. Accordingly, this portion of NRC Staff witness Knox's testimony should be stricken as unfounded and incompetent.

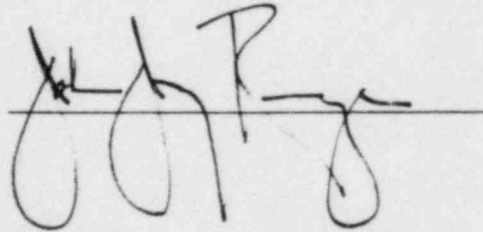
Third, NRC Staff witness Knox's testimony is explicitly directed solely at subparagraphs a(i) and (iv) of the diesel generator load contention. Paragraph a(i) concerns the exclusion of intermittent and cyclic loads from the qualified load and paragraph (iv) concerns operator error. The portion of the testimony LILCO seeks stricken here is wholly unrelated to either of these sections of the contention. Accordingly, this testimony should be stricken as outside the scope of the contention.

(2) LILCO, by counsel, moves to strike all references to Det Norske Veritas on page 21 of NRC Staff witness Sarsten's

testimony on the grounds that such references are outside the scope of the contention and irrelevant. By Order dated September 7, 1984, the Board ruled that Det Norske Veritas, among others, was outside the scope of the crankshaft contention. A related exhibit was also stricken. See Order dated September 7, 1984 at page 8. Accordingly, this previous Board Order requires the exclusion of this testimony. So too, by implication, does the Board's clarification of the scope of the reopening that appears at Tr. 26,929-30.

LONG ISLAND LIGHTING COMPANY

By

A handwritten signature in black ink, appearing to be 'John Jay Range', written over a horizontal line.

T. S. Ellis, III  
Anthony F. Earley, Jr.  
Hunton & Williams  
P. O. Box 1535  
Richmond, Virginia 23212

Odes L. Stroupe, Jr.  
Hunton & Williams  
P. O. Box 109  
Raleigh, North Carolina 27602

John Jay Range  
Hunton & Williams  
P. O. Box 19230  
Washington, D.C. 20036

DATED: February 11, 1985

RELATED CORRESPONDENCE

CERTIFICATE OF SERVICE

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station, Unit 1)  
Docket No. 50-322 (OL)

DELETED  
USNRC

85 FEB 11 P4:36

I hereby certify that copies of Lilco's Motion to Strike Portions of NRC Staff Testimony of John L. Knox and Portions of NRC Staff Joint Testimony of Spencer H. Bush, et al. were served this date upon the following by first-class mail, postage prepaid, or by hand as indicated by an asterisk:

Lawrence Brenner, Esq.\*  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
4350 East-West Highway  
Fourth Floor (North Tower)  
Bethesda, Maryland 20814

Secretary of the Commission\*  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. Peter A. Morris\*  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
4350 East-West Highway  
Fourth Floor (North Tower)  
Bethesda, Maryland 20814

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Robert E. Smith, Esq.  
Guggenheimer & Untermeyer  
80 Pine Street  
New York, New York 10005

Dr. George A. Ferguson\*  
Administrative Judge  
School of Engineering  
Howard University  
Room 1114  
2300 - 6th Street, N.W.  
Washington, D.C. 20059

Herbert H. Brown, Esq.\*  
Lawrence Coe Lanpher, Esq.  
Alan R. Dynner, Esq.  
Joseph J. Brigati, Esq.  
Kirkpatrick & Lockhart  
1900 M Street, N.W.  
8th Floor  
Washington, D.C. 20036



Bernard M. Bordenick, Esq.\*  
David A. Repka, Esq.  
Richard J. Goddard, Esq.  
U.S. Nuclear Regulatory  
Commission  
Maryland National Bank Bldg.  
7735 Old Georgetown Road  
Bethesda, Maryland 20814

Martin Bradley Ashare, Esq.  
Attn: Patricia A. Dempsey, Esq.  
County Attorney  
Suffolk County Department  
of Law  
Veterans Memorial Highway  
Hauppauge, New York 11787

Mr. Marc W. Goldsmith  
Energy Research Group  
4001 Totten Pond Road  
Waltham, Massachusetts 02154

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

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

Stephen B. Latham, Esq.  
Twomey, Latham & Shea  
33 West Second Street  
Post Office Box 398  
Riverhead, New York 11901

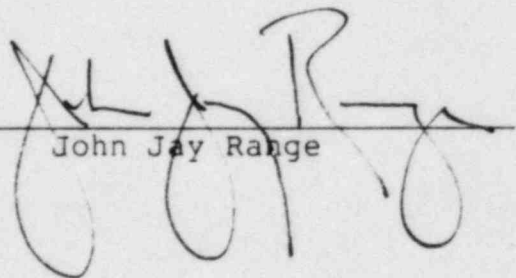
Ralph Shapiro, Esq.  
Cammer and Shapiro, P.C.  
9 East 40th Street  
New York, New York 10016

James Dougherty, Esq.  
3045 Porter Street  
Washington, D.C. 20008

Jonathan D. Feinberg, Esq.  
New York State  
Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

Howard L. Blau  
217 Newbridge Road  
Hicksville, New York 11801

Fabian G. Palomino, Esq.  
Special Counsel to the  
Governor  
Executive Chamber, Room 229  
State Capitol  
Albany, New York 12224



John Jay Range

Hunton & Williams  
2000 Pennsylvania Avenue, N.W.  
P.O. Box 19230  
Washington, D.C. 20036

DATED: February 11, 1985