



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

May 3, 1984

MEMORANDUM FOR: Chairman Palladino

FROM: Martin G. Malsch *MM*
Deputy General Counsel

SUBJECT: MARCH 16, 1984 MEETING ON LICENSING DELAYS

This is in response to your request for my recollection of what transpired relating to Shoreham at the March 16, 1984 meeting on licensing delays attended by the General Counsel and myself, Judge Cotter, Bill Dircks, Harold Denton, and others.

I recall much of the meeting was directed to a discussion of the status of various licensing cases and pending OI investigations. In the case of Shoreham, there was considerable discussion aimed at gaining a precise understanding of what the Licensing Board had in fact ruled regarding diesel generator contentions and low-power licensing. There was also some discussion regarding the progress in NRC staff safety reviews in the Shoreham case, when a new licensee proposal for low-power operation might be filed, and the time required for staff evaluation of the diesel problem. Representatives from OGC, OPE, staff (including OI) and the ASLBP Chairman all participated in these discussions.

There was also some discussion of the possibility of an expedited hearing on a low-power license in Shoreham. The possibility of an expedited hearing was raised by OGC, and there was some discussion of the general feasibility of this among OGC, the ASLBP Chairman, and you. The principal point made was that the feasibility of an expedited schedule depended on the complexity of the technical issues in dispute, and this could not be judged until LILCO actually presented its new motion. I do not recall that staff advocated or took any position on the expedited hearing matter during the meeting. Staff was asked whether it was its general policy in other cases to require some onsite power before issuing low-power licenses, and they replied in the affirmative. You also asked OGC to examine the Board's ruling to see if it was consistent with NRC policy and practice, but again staff took no position on this issue.

cc: Commissioner Gilinsky
Commissioner Roberts
Commissioner Asseistine
Commissioner Bernthal
SECY

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PDR FOIA
BELL-84-470 PDR

ROUTING AND TRANSMITTAL SLIP

Date
April 3, 1984

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. J. Youngblood, LB#1		
2. A. Schwencer, LB#2		
3. G. Knighton, LB#3		
4. E. Adensam, LB#4		
5. Technical Assistant		

Route to Branch Chiefs Action
 Information File

REMARKS

In response to Palladino's attached memo, we have been directed to prepare Commission papers on the following plants: Shoreham, Limerick, Waterford, Comanche Peak, Diablo Canyon, Byron, Midland, Palo Verde, and Grand Gulf. In order to meet our deadline of noon Monday, please provide a final draft to me before noon on Friday. These should be structured like the Waterford and Comanche Peak papers prepared last month. Please see Suzie if you need an example.

4/12/84

*Eleanor -
Tom also wants a
paper on Catawba.
This assignment w/ #1 priority*

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
T. M. Novak, AD/Licensing Division of Licensing	110
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Nuclear Information and Resource Service

1346 Connecticut Avenue NW, 4th Floor, Washington, D.C. 20036 (202) 296-7552

June 1, 1984

James M. Felton, Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-84-470
Rec'd 6-5-84

FREEDOM OF INFORMATION ACT REQUEST

Previous Related Request: FOIA 84-208 (BELL)

To whom it may concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended, the Nuclear Information and Resource Service requests the following documents regarding the enclosed memorandum from Chairman Nunzio Palladino to the Commissioners, on the subject of Licensing Delays, dated March 20, 1984. Please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes and summaries of conversations and interviews, computer records, and any other forms of written communication, including internal NRC Staff memoranda. The documents are specifically requested from, but not limited to, the Office of Policy Evaluation (OPE); Office of General Counsel (OGC); Office of the Executive Director of Operations; the Office of the Executive Legal Director (OELD); Office of Nuclear Reactor Regulation (NRR); and the Operating Reactors Branches of the Division of Licensing. In your response, please identify which documents correspond to which requests below.

Pursuant to this request, please provide all documents prepared or utilized by, in the possession of, or routed through the NRC related to:

1. The enclosed March 20, 1984 memorandum from Chairman Palladino to the Commissioners Re: Licensing Delays, including, but in no way limited to, the "briefing sheets" alluded to in paragraph two of the memo; and
2. The legal authority, and justification for, expedited hearings held by Atomic Safety and Licensing Boards, Atomic Safety and Licensing Appeals Boards, and the Commission.

In our opinion, it is appropriate in this case for you to

File 8412210271

waive copying and search charges, pursuant to 5 U.S.C. 552(a)(4)(A) "because furnishing the information can be considered as primarily benefiting the general public." The Nuclear Information and Resource Service is a non-profit organization serving local organizations concerned about nuclear power and providing information to the general public.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nina Bell".

Nina Bell
Nuclear Safety Analyst

cc: File