

786

DOCKETED

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION FEB 28 A11:18

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD  
OFFICE OF SECRETARY  
DOCKETING SERVICE  
BRANCH

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

Docket No. 50-322-OL-~~4~~  
(Low Power -- Remand)

NRC STAFF'S SUGGESTED AGENDA FOR  
LOW POWER SECURITY PROCEEDING

In a telephone conference on February 25, 1985, the Licensing Board asked the parties to suggest an outline of agenda points for the conference of counsel scheduled for February 28, 1985 and for the future course of the proceeding. The Staff believes the following items are appropriate for discussion:

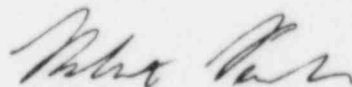
1. The effect of ALAB-800 on this proceeding. Clearly the decision reversed and remanded the rejection of the contentions by the Board. The question remains as to what additional controlling effect the Appeal Board's decision has on this proceeding.
2. Exemption proceeding or compliance proceeding? This matter, in the Staff's view, is one for the utility to resolve: does LILCO wish to apply for an exemption pursuant to 10 C.F.R. § 73.5 or does LILCO intend to demonstrate compliance with Part 73?

8503010320 850227  
PDR ADOCK 05000322  
G PDR

DS07

3. If LILCO pursues the exemption route, by what standard is the exemption application to be judged? Does CLI-84-8 apply, or does the traditional Staff practice apply?
4. Revision of contentions. Whether exemption proceeding or compliance proceeding, the Staff believes the Intervenors should be given the opportunity to revise their contentions in light of two developments: ALAB-800 and the agreement by LILCO to provide protection for the EMD's.
5. Scheduling of future proceedings.

Respectfully submitted,



Robert G. Perlis  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 27th day of February, 1985

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-OL-5  
(Low Power -- Remand)

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SUGGESTED AGENDA FOR LOW POWER SECURITY PROCEEDING" 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, desposit in the Nuclear Regulatory Commission's internal mail system, or as indicated by a double asterisk by telecopier this 27th day of February, 1985.

Judge James L. Kelley, Chairman\*\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Edward M. Barrett, Esq.  
Long Island Lighting Co.  
250 Old County Road  
Mineola, New York 11501

Judge Glenn O. Bright\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Honorable Peter Cohalan  
Suffolk County Executive  
County Executive/  
Legislative Building  
Veteran's Memorial Highway  
Hauppauge, New York 11788

Judge Elizabeth B. Johnson\*\*  
Oak Ridge National Laboratory  
P. O. Box X, Building 3500  
Oak Ridge, Tennessee 37830

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

Eleanor L. Frucci, Esq.\*  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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

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

W. Taylor Reveley, III, Esq.\*\*  
Anthony F. Earley, Esq.  
Robert M. Rolfe, Esq.  
Hunton and Williams  
707 East Main Street  
P.O. Box 1535  
Richmond, Virginia 23212

Mr. Martin Suubert  
c/o Congressman William Carney  
1113 Longworth House Office Building  
Washington, D. C. 20515

Martin Bradley Ashare, Esq.  
Suffolk County Attorney  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

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

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

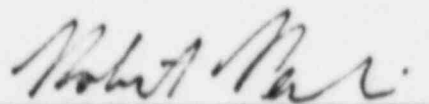
James Dougherty, Esq.  
3045 Porter Street, N. W.  
Washington, D. C. 20008

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

Jay Dunkleberger, Esq.  
New York State Energy Off.  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

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

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



Robert G. Perlis  
Counsel for NRC Staff