

11/13/84

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'84 NOV 16 AM 11:29

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
LOUISIANA POWER AND LIGHT COMPANY)
(Waterford Steam Electric Station,)
Unit 3))

Docket No. 50-382 0 L

NRC STAFF'S MOTION FOR EXTENSION OF TIME

Pursuant to 10 CFR §§ 2.711 and 2.730, the NPC Staff hereby requests an extension of time until December 17, 1984, in which to provide its response to the Appeal Board's Memorandum and Order of October 2, 1984 (ALAB-786). In support of this request, the Staff states as follows:

1. The Appeal Board's Memorandum and Order requests that the Staff provide "supplementary and clarifying" information concerning certain specified matters, as well as "any other relevant information" (ALAB-786, slip op. at 7, 15). The Appeal Board requested that this information be provided by no later than November 14, 1984, although it "recognize[d] that the staff's review in some of these areas is ongoing," and it provided that, if the Staff requires additional time, the Staff should inform the Appeal Board and provide a realistic date as to when it can supply the requested information (Id., at 15-16). Replies to the Staff's submission may be filed by the other parties within three weeks after the Staff files its response.

8411190001 841113
PDR ADOCK 05000382
G PDR

DS07

2. The Staff has determined that in order for it to file a full and accurate response to the Appeal Board's Memorandum and Order, additional information must be submitted by the Applicant for the Staff's review. This information was requested by letter of October 19, 1984 (a copy of which has been previously provided to the Appeal Board); and the Staff's letter indicated that the Applicant's submittal was required by October 26, 1984, in order for the Staff to be able to comply with the filing date specified by the Appeal Board. A response to this request was provided by the Applicant on October 26, 1984, which response was resubmitted in revised form on November 7, 1984, based upon the Staff's comments in a meeting held with the Applicant on November 2, 1984. In addition, certain other information was requested by the Staff during the meeting of November 2, 1984, some of which information was not provided until earlier today. Staff review of this information is required before the Staff can file its response to the Appeal Board's request.

3. In addition, Drs. John Ma and Raman Pichumani have been requested to provide an "update" of their prior views in light of the further analyses that have been performed, in accordance with the Appeal Board's Memorandum and Order (slip. op., at 14 n.13). In this regard, the Staff has requested that Drs. Ma and Pichumani review the materials submitted by the Staff before the Appeal Board (i.e., the Philleo report of May 18, 1984, the BNL report of July 18, 1984, and the Staff's affidavits of August 7, 1984), and that Dr. Ma also review the results of the Applicant's non-destructive testing program and certain other information provided to the Staff after the Staff submitted its affidavits of August 7, 1984. Because Drs. Ma and Pichumani were not participants

in much of the additional analysis that has been conducted, additional time is required for them to respond to the Appeal Board's request. ^{1/}

4. Finally, Dr. Ma has raised various questions and has indicated that he requires until November 30, 1984 to complete his review of these matters. The Staff wishes to consider Dr. Ma's affidavit before filing its response to the Appeal Board and, accordingly, seeks to file its response, along with Dr. Ma's affidavit, approximately two weeks after Dr. Ma has completed his review.

5. Counsel for the Staff has contacted Counsel for the Applicant and Mr. Gary Groesch for the Joint Intervenors. Mr. Groesch has authorized the Staff to state that the Joint Intervenors do not object to the grant of this request; Counsel for the Applicant was unable to state his client's position as of the time of filing of this motion.

^{1/} Neither Dr. Ma nor Dr. Pichumani has been requested to review the work of the civil-structural allegation review team, although they will have reviewed Robert Shewmaker's affidavit of August 7, 1984 and Robert Philleo's report of May 18, 1984, both of which relate to matters reviewed by the civil-structural allegation review team. Review of the allegation team's work in greater detail would require an inordinate amount of effort by Drs. Ma and Pichumani as well as further delay, which we do not consider to have been intended by the Appeal Board's Memorandum and Order.

WHEREFORE, the Staff hereby requests an extension of time until December 17, 1984, in which to file its response to the Appeal Board's Memorandum and Order.

Respectfully submitted,

Sherwin E Turk

Sherwin E. Turk
Deputy Assistant Chief
Hearing Counsel

Dated at Bethesda, Maryland
this 13th day of November, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)
LOUISIANA POWER AND LIGHT COMPANY) Docket No. 50-382
(Waterford Steam Electric Station,)
Unit 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S MOTION FOR EXTENSION OF TIME" 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 13th day of November, 1984.

Christine N. Kohl, Chairman*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Howard A. Wilber*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Walter H. Jordan
Administrative Judge
881 West Outer Drive
Oak Ridge, TX 37830

Dr. Harry Foreman, Director
Administrative Judge
University of Minnesota
Box 395, Mayo
Minneapolis, MN 55455

Luke B. Fontana, Esq.
824 Esplanade Avenue
New Orleans, LA 70116

Dr. W. Reed Johnson*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Sheldon J. Wolfe, Esq., Chairman*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Malcolm Stevenson, Esq.
Monroe & Lemann
1424 Whitney Building
New Orleans, LA 70130

E. Blake, Esq.
B. Churchill, Esq.
Shaw, Pittman, Potts &
Trowbridge
1800 M Street, N.W.
Washington, D.C. 20036

Ian Douglas Lindsey, Esq.
7434 Perkins Road
Suite C
Baton Rouge, LA 70808

Brian P. Cassidy
Regional Counsel, FEMA
John W. McCormack Post
Office and Courthouse
Boston, MA 02109

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

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

John T. Collins
Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
Parkway Central Plaza Building
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

William J. Guste, Jr., Esq.
Attorney General for the State
Of Louisiana
234 Loyola Avenue
7th Floor
New Orleans, LA 70112

Carole H. Burstein, Esq.
445 Walnut Street
New Orleans, LA 70118

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

Mr. Gary L. Groesch
2257 Bayou Road
New Orleans, LA 70119

Lynne Bernabei, GAP
1555 Connecticut Ave., N.W.
Suite 202
Washington, D.C. 20036

Sherwin E Turk

Sherwin E. Turk
Deputy Assistant Chief
Hearing Counsel