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NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

March 4, 1985

DOCKETED  
USNRC

Judge James L. Kelley, Chairman  
Atomic Safety and Licensing Board A11:14  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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

Judge Glenn O. Bright  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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)

Dear Administrative Judges:

At the conference of counsel last Thursday, the Board requested that the parties provide a list of issues they believe should be briefed in this proceeding as threshold matters. The Staff believes the following two issues would be appropriate for such briefing:

1. In light of both ALAB-800 and the factual record produced during the earlier Part 50 exemption proceeding (which showed, *inter alia*, that the EMD's by themselves could provide sufficient power to shut down the plant, but that the EMD's are also vulnerable to certain single failures and that for Part 50 design purposes (principally GDC-17) both the EMD's and 20 MW gas turbine are relied upon), must both the EMD's and gas turbine be protected pursuant to 10 C.F.R. § 73.2(i) as a matter of law?
2. If this becomes an exemption proceeding, should the Board require (as a matter of law or policy) the formal submittal of contentions?

Sincerely,

Robert G. Perlis  
Counsel for NRC Staff

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