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USNRC

December 18, 1984

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER AND LIGHT COMPANY AND
NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

(Shearon Harris Nuclear Power Plant,
Units 1 and 2)

Docket Nos. 50-400 OL
50-401 OL

NRC STAFF RESPONSE TO APPLICANTS' MOTION TO RECEIVE
ADDITIONAL EVIDENCE REGARDING EDDLEMAN CONTENTION 41

I. INTRODUCTION

On December 11, 1984, the Applicants filed a motion to have the evidentiary record on Eddleman Contention 41 reopened to receive into evidence proffered Exhibits 27 and 28. The Staff's response in opposition follows.

II. BACKGROUND

Hearings were held on Eddleman Contention 41 (pipe hanger weld inspection program) and closed on November 15, 1984, transcript page 7366.

III. DISCUSSION

During the course of the hearing Eddleman Exhibits 47 and 22 were accepted into evidence (Tr. pp. 7001 and 6749 respectively) These exhibits consisted of interim reports on pipe hanger weld problems. The Applicants' Motion seeks to reopen the record to receive the final versions of these interim reports.

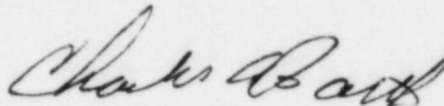
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The Applicants' Motion, on page 3, states that proffered Exhibits 27 and 28 would make no substantive change in the record. In view of the Staff's argument at transcript page 3941 opposing Intervenor's proposed submission of additional documents after the record is closed and the Applicants' representation that no substantial change would be made by the proffered exhibits, we see no reason to grant the Applicants' Motion.

IV. CONCLUSION

The Applicants' Motion should be denied.

A handwritten signature in cursive script, appearing to read "Charles Barth".

Charles A. Barth
Counsel for NRC Staff

dated at Bethesda, Maryland
this 18th day of December, 1984

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(Shearon Harris Nuclear Power Plant,)
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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO APPLICANTS' MOTION TO RECEIVE ADDITIONAL EVIDENCE REGARDING EDDLEMAN CONTENTION 41" in the above-captioned proceeding have been served by the Staff on the following by deposit in the United States mail, first class, or deposit in the Nuclear Regulatory Commission's internal mail system (*), this 18th day of December, 1984.

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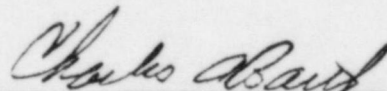
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