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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Sheldon J. Wolfe, Chairman
Oscar H. Paris
Glenn O. Bright

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USNRC

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In the Matter of

GENERAL PUBLIC UTILITIES NUCLEAR
CORPORATION, et al.

(Three Mile Island Nuclear Station,
Unit 2)

Docket Nos. 50-320-OLA
(Disposal of Accident-
Generated Water)

(ASLBP No. 87-554-04-OLA)

February 17, 1988

MEMORANDUM AND ORDER
(Partially Granting SVA/TMIA Motion For Extension)

MEMORANDUM

On January 31, 1988, Joint Intervenors filed a motion for extension of time for discovery from the present due date of February 22 to April 16, 1988. In responses of February 10 and February 12, 1988, the Licensee and the Staff respectively filed responses opposing the granting of the motion.

The representative for the Joint Intervenors asserts that the extension is needed in that she relies upon volunteers to assist her in this case which involves numerous contentions and complex issues, and indicates that she may submit interrogatories supplementing those served

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on February 7, 1988. We are troubled by this assertion because, in the Statement Of Policy On Conduct Of Licensing Proceedings, CLI-81-8, 13 NRC 452, 454 (1981), the Commission stated:

Fairness to all involved in NRC's adjudicatory procedures requires that every participant fulfill the obligations imposed by and in accordance with applicable law and Commission regulations. While a board should endeavor to conduct the proceeding in a manner that takes account of the special circumstances faced by any participant, the fact that a party may have personal or other obligations or possess fewer resources than others to devote to the proceeding does not relieve that party of its hearing obligations.

However, we do not appreciate the Licensee's and the Staff's observation that Joint Intervenors waited an overly long time before serving their interrogatories on February 7, inasmuch as the Licensee and the Staff respectively did not serve their interrogatories until January 29 and February 1, 1988. Accordingly, we partially grant the Joint Intervenors' motion because, on the one hand, we recognize that the issues are both important and complex and because, on the other hand, we are dedicated to expediting the resolution of this case.

ORDER

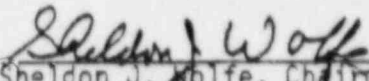
1. Joint Intervenors' motion for extension of time for discovery is partially granted in that Joint Intervenors, who will be served on February 22, 1988, with the Licensee's and the Staff's answers to the first set of written interrogatories and requests for production of documents, shall have until March 15, 1988 within which to serve

supplemental interrogatories and requests for production of documents, and the Licensee and Staff shall respond within 14 days after service.

2. In the alternative, by no later than March 4, 1988, a determination not to file supplementary interrogatories and requests for production of documents shall be made known by the Joint Intervenors to the Board and to the other parties in a telephonic conference call or in telegrams.

3. In light of the letters from the Staff and the Licensee respectively dated January 22 and January 29, 1988, at the appropriate time in a subsequent Order, the Board will notify the Licensee and the Staff when they shall file their respective motions for summary disposition.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Sheldon J. Wolfe, Chairman
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 17th day of February, 1988.