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March 16, 1988

DK/llc

Director, Office of Administration
Nuclear Regulatory Commission
Room 4210
Maryland National Bank Building
7735 Old Georgetown Road
Bethesda, Maryland 20814

Attention: Ms. Natalie Brown

Re: Freedom of Information Act Request, 88-63

Dear Ms. Brown:

This is to confirm the content of our March 3, 1988, telephone conversation concerning numbered paragraph 2 of the above-referenced Freedom of Information Act request. Paragraph 2 is clarified to read as follows:

"All records, not served via the service list in 50-322-OL-03, 05, or 06 dockets, relating in any way to any other communications during the period March 1987 to the present between LILCO, including any person acting for or on behalf of LILCO, and NRC employees, officials, agents or representatives, which concerned LILCO's request to operate Shoreham at 25 percent power, any Federal Emergency Management Agency review of revisions to LILCO's emergency plan, any further exercise of LILCO's emergency plan, and any proposed procedures or schedules for any review or exercise of LILCO's emergency plan."

The Nuclear Regulatory Commission's response to this request is due on March 17, 1988. Please call me when the NRC's response is ready, so that I may send a messenger to pick it up.

Thank you for your assistance with this matter.

Sincerely,

Lorraine C. Gibson

Lorraine C. Gibson
Paralegal

8809090169 880817
PDR FOIA
BELAIR88-A-34 PDR

Task Action Plan for Evaluation of
Long Island Lighting Company's Request
to Operate the Shoreham Nuclear Power Station
at 25% Power

Lead Organization: Division of Reactor Projects I/II, NRR

Task Manager: Ronnie Ln

Project Completion Date: July 8, 1987

FOIA-88-A-34
(FOIA-88-6?)

D/1

ACTION PLAN

I. INTRODUCTION

The Long Island Lighting Company (LILCO) has filed a Motion before the Commission on April 14, 1987, requesting authorization to operate the Shoreham Station at power levels above 5% and up to 25% of full power. In anticipation of a Commission request for a staff review of the Motion and its associated bases, we have prepared this action plan for accomplishing an expeditious review.

The three major elements of this action plan are a description of the relevant background information, a description of the review program and a summary of the required staff resources with the corresponding schedules and milestones. The section on background information will include summaries on plant status, hearings status and licensing status. The section on our review program will describe the scope of the staff's review of the proposal. It will identify the nature of the various elements of the staff's review effort. The final section of this action plan will provide estimates for the resource requirements in each of the technical review branches that will be participating in this review effort, along with the corresponding schedules and milestones as indicated in a bar-chart. The chart will also identify the interfaces between the various reviewing organizations.

A. PLANT STATUS

The Shoreham Station is currently in cold shutdown. All the start-up tests that can be accomplished with a 5% power license, including synchronization of the main generator with the off-site grid, have been completed. LILCO has taken advantage of the protracted period of plant shutdown and has accomplished a number of plant enhancements, including those called for in the ATWS rule. The plant is ready for operations at power levels above 5% of full power.

B. HEARINGS STATUS

Public hearings on all issues but those dealing with selected areas of the emergency plan have been completed with decisions rendered in favor of LILCO. There are currently two licensing Boards scheduled to hold hearings during much of 1987 on the remaining issues relating to the emergency plan. These hearings are not likely to be completed for at least several months.

C. LICENSING STATUS

LILCO has an application for a full power license which is currently pending before the Commission. Under authority delegated to it by the Commission, The Office of Nuclear Reactor Regulation has issued first a license authorizing fuel loading and criticality testing (.001% power) and later a license authorizing operations up to a power level of 5% of full power. The 5% license is currently in effect.

The staff's licensing reviews have been completed for all issues that require resolution prior to authorizing operations above 5% of full power, except for a selected number of issues dealing with the emergency plan, which are currently under litigation before two licensing Boards. In addition, a finding by the Regional Administrator, that the Shoreham Station is ready for operations above 5% of full power is also pending.

II. DESCRIPTION OF PROBLEM

The LILCO request to operate Shoreham at 25% power is based on the provisions of 10 CFR 50.47(c)(1) which states that if the emergency planning standards set forth in 10 CFR 50.47(b) are not met, the applicant would still have an opportunity to demonstrate to the satisfaction of the Commission that:

- 1) deficiencies in the [emergency] plans are not significant for the Shoreham Station;
- 2) adequate interim compensating measures have been or will be taken promptly; or
- 3) there are other compelling reasons to permit plant operation.

LILCO claims that all three elements of 10 CFR 47(c)(1) are satisfactorily demonstrated by the analysis contained in its request.

In order for the Commission to consider the LILCO request, an evaluation by the staff is necessary to examine the technical merits of LILCO's assertions under 10 CFR 50.47(c)(1). The probabilities, the severities and the durations of accident development for 25% power are significantly different from those associated with accidents that could occur during full power operation. The staff's evaluation should show if the conditions for operating Shoreham at 25% power are such that in the event of an accident involving offsite releases, the demands on the EP are substantially reduced in comparison with operation at 100% power. The evaluation should determine if offsite protective measures, when necessary, can be implemented with reasonable assurance. The evaluation should include an assessment of the "other compelling reasons," i.e., the need for power and the use of foreign oil. The staff evaluation and recommendation for Commission action will be summarized in a report to the Commission.

III. SCOPE OF REVIEW PROGRAM

The staff actions to evaluate the LILCO request are divided into five subtasks as follows:

A. SUBTASK 1 - ACCIDENT ASSESSMENT FOR SHOREHAM OPERATING AT 25% POWER

An accident assessment will be performed to evaluate the following:

- (i) The probabilities, relative to the Shoreham PRA analyzed for full power operation, of accident sequences that would require offsite protective measures to be taken.

- (ii) For each of those accident sequences evaluated in (i), evaluate the dose (whole-body, thyroid) profiles as a function of distance.

Compare the dose profiles against NUREG-0396 dose-probability vs. distance calculations for the corresponding accident sequences, i.e. most core-melt sequences and the worse core-melt sequences.

- (iii) Evaluate the time element in accident development and release scenarios. Corresponding to each release category, evaluate the probabilities for the need of quick offsite response (less than 2 hrs.), extended response (5-10 hrs.) and delayed response (greater than 24 hrs.).

The staff has performed a review of the Shoreham PRA for 100% power. This subtask consists of applying the parameters unique to the LILCO request in the accident evaluation. Some of the key input considerations are: (1) Those effects arising from the 25% power limitation in comparison with 100% power: i.e., reduced fission product inventory; reduced demands on the safety systems; increased time available for actions to mitigate the accident; and the availability of main condenser as heat sink with full turbine bypass for ATWS events; and (2) Those factors related to physical and procedural changes that were not considered in the 100% power PRA; e.g., additional on-site AC power which significantly precludes station black-out accidents; improved Standby Liquid Control system capability which is equivalent to about 200% of the 10 CFR 50.62(c)(4) requirement for mitigation of ATWS events; Automatic Depressurization System improvement for accident control; alternate HPCI water source (from Condensate Storage Tank) to provide redundant water sources; procedural change to lower reactor water level setpoint for MSIV closure to reduce challenges to the SRV and demands on suppression pool.

- (iv) Coordinate with the Subtask 3 assessment which is detailed below.

B. SUBTASK 2 - ASSESSMENT OF OFFSITE EMERGENCY PLANNING NECESSARY FOR SHOREHAM OPERATING AT 25% POWER.

The assessment will consist of the following elements:

- (1) A preliminary review of the inadequacies of the LILCO's plan and exercise results as identified by FEMA and those issues pending before the ASLBs for full power operation in consideration of 25% power and whether they are pertinent.
- (ii) Assess the significance of those FEMA identified inadequacies in the event of an accident during 25% that would require offsite protective measures. Key elements for consideration are the results of Subtask 1 assessment pertaining to: (a) Selection of accident sequences that would result in offsite doses requiring protective measures (i.e. above PAG dose levels); (b) The size of area and population

involved; (d) The Commission in CLI-86-13 has determined that an ad hoc participation of State and local governments can be assumed in the event of an accident at Shoreham. The time elements in accident development and release scenarios evaluated in Subtask (1)(iii) is an important consideration in evaluating the adequacies of preparation for those ad hoc responses.

C. SURTASK 3 - SAFETY IMPLICATIONS OF PROLONGED OPERATION AT 25% POWER

A review will be performed to examine the equipment and operational characteristics of protracted off-normal operation of the Shoreham plant at 25% power that may have safety implications. Modifications to the plant and other compensating design features will also be evaluated to assess the potential benefit offered in support of operation at the requested power level. This review will be as indicated below.

Subtask 3a

Review all the transients and accidents as given in the SRP to assure that operation of the plant up to 25% power will be bounded by the Chapter 15 analysis performed for full power. Evaluate whether any special procedures or operator actions are required to mitigate transients or accidents which may occur in low power conditions. Evaluate whether the time available for the operator to take action to prevent core vulnerable states from occurring will be significantly longer than would be the case for full power. Evaluate ATWS mitigation capabilities during the low power conditions. Assess the modifications to the SLC, the ADS and the HPCI system and provide an assessment of impacts on accident mitigation. Evaluate the corium ring for effectiveness for its intended function in the event of a severe core melt accident. The design and installation will also be evaluated to assure its placement has not impacted the safety function of other systems. Identify control systems which are to be put on "Manual" rather than "Automatic" due to low power conditions. Evaluate safety implications of manual operation actions. Also assess the stability of the recirculation system, feedwater system and control system for prolonged operation at these low power levels.

Subtask 3b

The present design of the onsite AC power systems will be assessed to identify the additional onsite AC power capability beyond that required by the Standard Review Plan. The relative effectiveness of the present AC power system will be assessed and the likely impact this system would have on the likelihood of station blackout will be addressed.

D. SURTASK 4 - ASSESSMENT OF NRC REGULATIONS APPLICABLE TO LILCO'S REQUEST TO OPERATE SHOREHAM AT 25% POWER

This assessment will provide the legal frame work for the staff's recommendation to the Commission on the request. The assessment will provide the staff with guidance on the applicability of the Commission's

regulations to the LILCO request and address various procedural issues raised.

E. SUBTASK 5 - REVIEW OF OTHER COMPELLING REASONS FOR GRANTING THE MOTION TO OPERATE SHOREHAM AT 25% POWER

This review will enable the staff to make a recommendation to the Commission if there are other compelling reasons under 50.47(c)(1) that the LILCO's request should be granted. The review will examine the merits of operating Shoreham at 25% power because of the need for power in the LILCO service area and the dependence on foreign oil in LILCO's generating facilities. The staff will solicit the inputs from DOE which has recently addressed similar issues on a request by the Department of Commerce for a petition by LILCO on an unrelated subject.

IV. PRINCIPAL NRC STAFF ORGANIZATIONS INVOLVED

- A. Project Directorate I-2, Division of Reactor Projects I/II. Has overall lead responsibility in managing the task and coordinating the staff efforts in the evaluation as well as inputs from other agencies, e.g., DOE, if needed. Results of the staff evaluation will be summarized in a report to the Commission.

Manpower Estimate: 0.2 man-year FY 1987

- B. Risk Application Branch, Division of Radiation Protection and Emergency Preparedness. Has the responsibility of performing accident and risk assessment reviews as discussed in Subtask 1.

Manpower Estimate: 0.3 man-year FY 1987

- C. Emergency Preparedness Branch, Division of Radiation Protection and Emergency Preparedness. Has the responsibility of performing an assessment of the scope of offsite protective measures required and the adequacy of LILCO's plan. The elements of this assessment is discussed in Subtask 2.

Manpower Estimate: 0.2 man-year FY 1987

- D. Reactor Systems Branch, Mechanical Engineering Branch, Division of Engineering and System Technology. Have the responsibility of examining any safety implications of prolonged operation at 25% power as discussed in Subtask 3.

Manpower Estimate: 0.3 man-year FY 1987

- E. Electrical Systems Branch, Division of Engineering and System Technology. Has the responsibility for evaluating reliability of on-site emergency power system taking into account availability of the TDI diesels, the Colt diesels, the EMD diesels and the gas turbines, as described in subtask 3b.

Manpower Estimate: 0.1 man-year FY 1987

- F. Instrumentation and Control Systems Branch, Division of Engineering and System Technology. Is responsible for providing support for Subtask 3a in assessing the stability of plant control systems and the adequacy of instrumentation for operation at 25% power.

Manpower Estimate: 0.1 man-year FY 1987

- G. Plant Systems Branch, Division of Engineering and Systems Technology.

Has the responsibility in assessing the accident mitigation features of the corium ring and the relative effectiveness of this feature.

Manpower Estimate: 0.1 man-year FY 1987

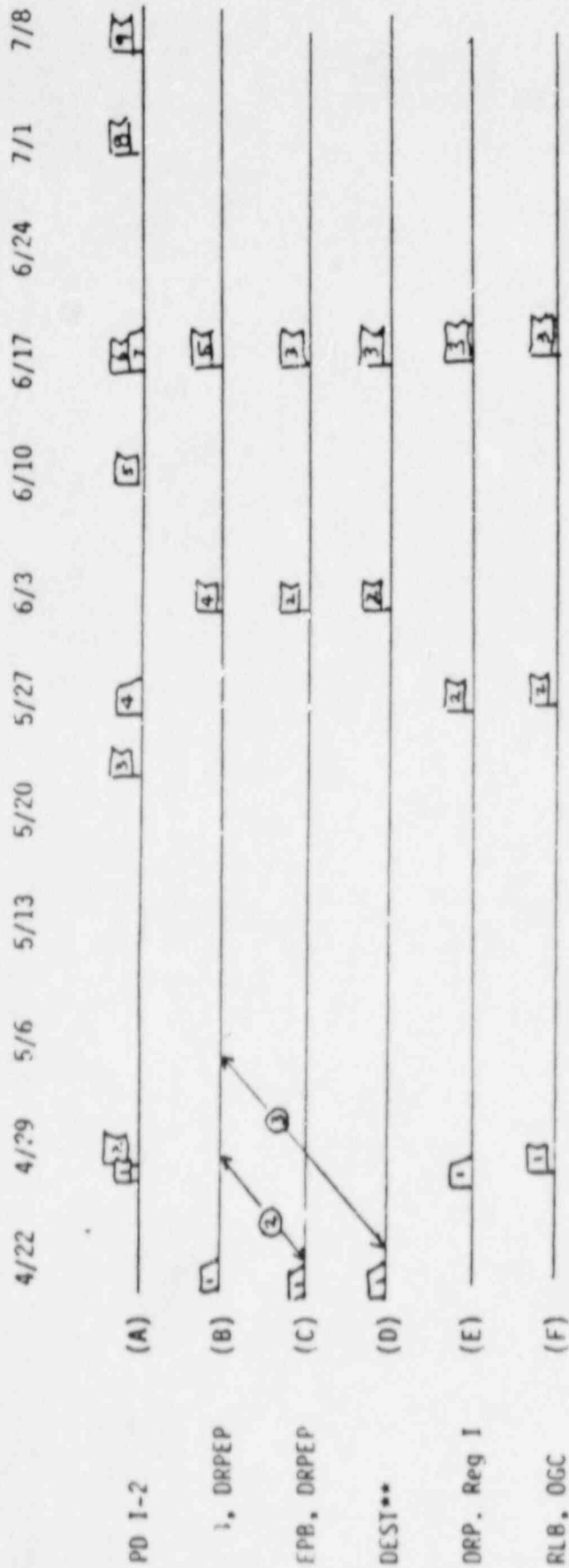
- H. Division of Reactor Projects, Region I. Has the responsibility of evaluating the licensee and its facility, operator training for readiness to operate at 25% power and identify any need for Tech Spec changes.

Manpower Estimate: 0.1 man-year FY 1987

- I. Reactor Licensing Branch, Office of the General Counsel. Has the responsibility to provide guidance to the staff on regulatory and legal issues related to LILCO's request.

Manpower Estimate: 0.15 man-year FY 1987

Task Schedule*



- A (1) Issue Task Action Plan
- (2) Request DOE for subtask 5 input
- (3) Receive DOE input
- (4) Start draft report
- (5) Complete draft report
- (6) Receive comments on draft report
- (7) Start final report
- (8) Complete final report
- (9) NRR approved final report

- B (1) Start subtask 1
Input progress to EPB
- (2) Coordinate with EPB a subtask 2
- (3) Coordinate with DEST a subtask 3
- (4) Complete draft subtask 1 report
- (5) Review draft report complete

- C (1) Start subtask 2
Coordinate with RAB
- (2) Complete subtask 2 inputs
- (3) Review draft report complete

- D (1) Start subtask 3
Coordinate with RAB
- (2) Complete subtask 3 report inputs
- (3) Review draft report complete

- E (1) Start plant readiness, Tech Specs and training review
- (2) Review complete, provide inputs to report on problem areas
- (3) Review draft report complete

- F (1) Inform Commission of Action Plan
- (2) Inputs to draft report complete
- (3) Review draft report complete

*This schedule assumes no major iterative reviews that may become necessary as the staff review progress.

**SICB, SPLB, SRXB, SELB, EMEB

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)	
)	
LONG ISLAND LIGHTING COMPANY)	Docket No. 50-322-OL
)	
(Shoreham Nuclear Power Station,)	
Unit 1))	

AFFIDAVIT OF DR. RONNIE LO

1, Dr. Ronnie Lo, being duly sworn, affirm as follows:

1. I am a nuclear engineer in Project Directorate I-2, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation and am NRC Project Manager for the Shoreham Nuclear Power Station, Unit 1. In that role, I am responsible for coordinating the NRC Staff review of Long Island Lighting Company's ("LILCO") Request for Authorization to Increase Power to 25% ("Request").

2. The Staff has prepared an action plan for the expedited review of LILCO's Request. Such expedited consideration of the Request is warranted by the current state of readiness of the Shoreham plant.

3. A determination of plant readiness to exceed 5% power based on a scheduled program of inspections will be made at the appropriate time by the Region I Administrator. However, the Staff is presently unaware of any physical plant or operating personnel deficiencies that would represent an obstacle to authorizing LILCO to operate Shoreham at power levels up to 25%. During 1985 and 1986, LILCO completed two periods of low-power operations. All the scheduled testing that can be accomplished at low-power and all operator training programs have been completed.

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The main generator was synchronized with the off-site grid to produce a small amount of commercial power for a short period in August, 1986. In addition, since the issuance of the 5% license in July 3, 1985, the Staff and LILCO have satisfactorily resolved all the outstanding technical issues that need to be resolved prior to authorizing operations above 5% power.

4. The purpose of the Staff action plan is to evaluate whether, in the Staff's view, LILCO has made a satisfactory showing under 10 C.F.R. § 50.47(c)(1) that, notwithstanding alleged failure to meet all of the standards in 10 C.F.R. § 50.47(b),

(1) deficiencies in the emergency plans are not significant for the Shoreham Station,

(2) adequate interim compensating measures have been or will be taken promptly, or

(3) there are other compelling reasons to permit plant operation.

A principal purpose of review is to determine whether the probabilities, severities, and durations of accident development for 25% power operation of Shoreham are such that in the event of an accident involving offsite releases, appropriate regulatory findings can be made with respect to emergency planning, notwithstanding the pendency of emergency planning issues with respect to operation at 100% power.

5. The Staff review will be divided in four main subtasks: (1) accident assessment for Shoreham operating at 25% power, (2) assessment of offsite protective measures necessary for Shoreham operating at 25% power, (3) safety implications of prolonged operation at 25% power, considering recent design modifications not previously relied upon in the Staff's full power review, and (4) review of the showing of

compelling reasons for operation of Shoreham at 25% power, notwithstanding any deficiencies in meeting the planning standards in 10 C.F.R. § 50.47(b).

6. Subtask (1), in summary, will evaluate the following:
 - (a) the probabilities, relative to the Shoreham PRA analyzed for full power operation, of accident sequences that would require offsite protective measures to be taken;
 - (b) for each of the sequences evaluated in (a), evaluate the dose profiles as a function of distance, and compare those dose profiles against NUREG-0396 dose - probability versus distance calculations for the corresponding accident sequences;
 - (c) based on the evaluations in (a) and (b) above, with respect to full power operation, evaluate the corresponding offsite distances within which protective measures should be necessary in the event of an accident during 25% power operation; and
 - (d) evaluate the time element in accident development and release scenarios -- i.e., for each release category, evaluate the probabilities for needing quick offsite response, extended response, and delayed response.

7. The Subtask (1) evaluation would take into consideration differences in plant conditions arising from differences in power levels, as well as additional enhancements to plant systems and procedures not relied upon in the PRA performed for 100% power operation.

8. Subtask (2) will evaluate the need for offsite protective measures in light of the results of dose-distance and time findings from

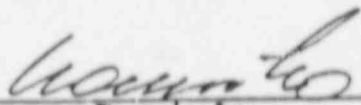
Subtask (1). This evaluation will focus on inadequacies found by FEMA in LILCO's offsite emergency plans and issues currently outstanding before the Licensing Board.

9. Subtask (3) will examine the equipment and operational characteristics of protracted off-normal operation of the Shoreham plant at 25% power that may have safety implications. Modifications to the plant and other design features not already considered in the PRA performed for 100% power operations will also be evaluated. If items of safety significance are identified, these would be further considered in the Subtask (1) accident probability evaluation.

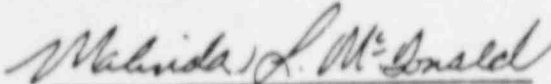
10. Subtask (4) will examine the merits of operating Shoreham at 25% power because of need for power in the LILCO service area and dependence on foreign oil in LILCO's generating facilities.

11. The Office of Nuclear Reactor Regulation projects completion and approval of the foregoing evaluations by July 8, 1987.

The above information is true to the best of my personal knowledge and belief.


Ronnie Lo

Subscribed and sworn to before
me this 28th day of APRIL, 1987


Notary Public

My commission expires: July 1, 1990

Attachment 2

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

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

Docket No. 50-322-OL-3
(Emergency Planning)

NRC STAFF RESPONSE TO LILCO MOTION
FOR EXPEDITED COMMISSION CONSIDERATION OF REQUEST
TO AUTHORIZE OPERATION OF SHOREHAM AT 25% OF FULL POWER

I. INTRODUCTION

On April 14, 1987, Long Island Lighting Company (LILCO) served by hand a "Request for Authorization to Increase Power to 25%" ("Request") together with a "Motion for Expedited Commission Consideration" ("Motion") of that Request.

Although not styled as such, the Staff views the Motion and Request as seeking a form of Commission action contemplated by 10 C.F.R. § 50.57(c) -- a motion "for an operating license authorizing low-power testing . . . and further operations short of full power operation. See, Duquesne Light Company, et al. (Beaver Valley Power Station, Unit No. 1), LBP-76-23, 3 NRC 711 (1976). The Staff takes no position at this time on the merits as to whether the Commission should grant the request for operation of Shoreham at up to 25% of full power; however, the Staff supports the Motion insofar as it seeks expedited consideration by the Commission of the Request. The Staff has provided with its response a proposed schedule for expedited review by the Staff of LILCO's Request.

II. DISCUSSION

LILCO bases its Motion for Expedited Commission Consideration on four arguments:

- (1) there is little prospect for early resolution of the full power emergency planning proceeding, now pending before two Atomic Safety and Licensing Boards, and the Commission;
- (2) Long Island has an immediate need for Shoreham's power;
- (3) at 25% power, the remaining full power emergency planning issues become insignificant;
- (4) 10 C.F.R. § 50.47(c) provides a regulatory basis for authorizing 25% power operation notwithstanding LILCO's failure to meet some aspects of 10 C.F.R. § 50.47(b).

Motion, at 1-3.

As noted above, there is both authority and precedent for the Commission to grant, upon motion, a request for authorization of operation short of full power in the context of an ongoing proceeding on an application for a full power operating license. 10 C.F.R. § 50.57(c) states:

An applicant may, in a case where a hearing is held in connection with a pending proceeding under this section make a motion in writing, pursuant to this paragraph (c), for an operating license authorizing low-power testing (operation at not more than 1 percent of full power for the purpose of testing the facility), and further operations short of full power operation. Action on such a motion by the presiding officer shall be taken with due regard to the rights of the parties to the proceedings, including the right of any party to be heard to the extent that his contentions are relevant to the activity to be authorized. Prior to taking any action on such a motion which any party opposes, the presiding officer shall make findings on the matters specified in paragraph (a) of this section as to which there is a controversy, in the form of an initial decision with respect to the contested activity sought to be authorized. The Director of Nuclear Reactor Regulation will make findings on all other matters

specified in paragraph (a) of this section. If no party opposes the motion, the presiding officer will issue an order pursuant to § 2.730(e) of this chapter, authorizing the Director of Nuclear Reactor Regulation to make appropriate findings on the matters specified in paragraph (a) of this section and to issue a license for the requested operation.

In Beaver Valley, the Licensing Board based on applicants' motion and evidence developed on the record, issued a Supplemental Initial Decision authorizing operation of the Beaver Valley Power Station, Unit No. 1, at up to 35 percent of full power without limitation as to time. Beaver Valley, LBP-76-23, supra, o. ARC at 712-716, 722-723.

Under 10 C.F.R. § 50.57(c), where the motion is opposed, as the Staff anticipates this motion will be, the presiding officer must make findings on the matters specified in § 50.57(a), including subparagraph (3) thereof, that there is "reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations in this chapter . . ." as to those matters which are in controversy. Where the § 50.57(c) motion is contested, the Commission, or such other presiding officer as may be delegated that responsibility, would be obliged, prior to granting the motion, to determine as to any emergency planning issues pending in the on-going proceeding, (1) whether such issues are relevant to operation at 25% power, and (2) if relevant, whether, notwithstanding those issues, the requisite § 50.57(a) findings can be made with respect to activity sought to be authorized.

The "reasonable assurance" finding under § 50.57(a)(3) necessarily implies compliance with 10 C.F.R. § 50.47(a)(1), which requires with

respect to emergency plans, "that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency."

LILCO's Request and Motion do not address § 50.57(a) or (c), and do not address the interrelationship of these provisions with § 50.47. LILCO has argued that "§ 50.47(c) furnishes a clear regulatory basis for authorizing Shoreham to operate at 25% power." Motion, at 2. However, § 50.47(c)(1) expressly provides that failure of applicant to meet the standards in § 50.47(b) need not necessarily result in denial of an operating license where the applicant can satisfactorily demonstrate that (1) deficiencies in emergency plans are not significant for the plant in question, (2) interim compensating actions have been or will be taken promptly, or (3) there are other compelling reasons to permit plant operation. Section 50.47(c)(1) does not obviate the requirements for a finding of "reasonable assurance" under § 50.47(a)(1). LILCO appears to recognize this. See, Request, at 10. Thus, were applicant here to be able to satisfactorily demonstrate that one or more of the three § 50.47(c) findings is warranted, the Commission would still be required to make findings pursuant to § 50.47(a)(1) and § 50.57(a) and (c), prior to granting LILCO's Request.

In sum, though not expressly filed pursuant to the provisions of § 50.57(c), LILCO's Request is proper under Commission regulations, and must be considered.

LILCO's Motion for expedited consideration of its request to be allowed to operate the Shoreham Nuclear Power Station at 25% of full power should be granted. Construction of the Shoreham Nuclear Power Station has

been completed and all necessary findings to support low-power operation were made prior to issuance of the 5% license on July 3, 1985. See Attached Affidavit of Ronnie Lo, dated April ____, 1987. The plant has not been licensed to operate at higher power levels because of on-going adjudicatory proceedings involving the sufficiency of off-site emergency planning for full power operation. LILCO alleges that there is an immediate need to operate that plant at a lower power level pending the conclusion of the adjudicatory proceedings. It is, therefore, appropriate to determine whether there is a benefit to the public in permitting operation of the plant at a 25% power level and whether such operation can be conducted under the Commission's regulations and in accord with the public health and safety.

The attached Affidavit of Ronnie Lo, NRC Project Manager for the Shoreham plant, also describes the scope and objectives of the Staff's contemplated review of the LILCO Request, together with an anticipated earliest date of completion. The Staff is prepared to review the Request on an expedited basis, aiming at completion of the review and report to the Commission within 90 days. ^{1/}

Therefore, the Staff supports granting of LILCO's Motion for expedited consideration of the LILCO Request and recommends adoption of procedures consistent with the time period needed by the Staff to perform an expedited review.

^{1/} The Staff is seeking the advice of the Department of Energy on the arguments made by LILCO relating to the need for power and need to reduce dependence on foreign oil.

III. CONCLUSION

LILCO's Request for authorization of operation at 25% of full power is properly filed, and its consideration should be expedited on a schedule consistent with the time needed for Staff review of the LILCO Request.

LILCO's Motion to expedite should therefore be granted.

Respectfully submitted,

George E. Johnson
Counsel for NRC Staff

Dated at Bethesda, Maryland
this day of April, 1987