



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

May 19, 1988

The Honorable Joel Hefley  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Hefley:

I am pleased to respond to your letter of April 7, 1988 in which you forwarded a letter and attached newspaper articles from a constituent, Mr. William Steele, regarding the Seabrook nuclear power facility.

Mr. Steele expressed his frustration at not being able to obtain information about a specific date for a public hearing to render a decision on the licensing of the Seabrook Station. Please advise Mr. Steele that public hearings on the New Hampshire portion of the emergency planning issues for Seabrook are currently in progress and that these hearings appear to be approaching a conclusion. These hearings were noticed in the Federal Register on April 21, 1988 (53 FR 13207); a copy of that notice is enclosed.

An Atomic Safety and Licensing Board (ASLB) has recently been established to conduct public hearings on the emergency planning issues related to Massachusetts. The ASLB has received and is currently evaluating for admissibility approximately 150 contentions filed by the intervenor groups. Although this Board has not yet established a schedule for conducting the hearing, the Board will do so following its evaluation of the contentions. The Board will then conduct the hearing during which the admitted contentions will be litigated.

After the hearings on emergency planning in both New Hampshire and Massachusetts are concluded and the presiding Atomic Safety and Licensing Boards have rendered their decisions, there will be a public Commission meeting to make the final decision on licensing for the Seabrook Station. Because the duration of the hearings is uncertain, the Commission has not scheduled their meeting; however, current estimates are for the Commission to have their meeting in the Spring of 1989.

Mr. Joseph Delmedico of the NRC Office of Governmental and Public Affairs will contact your office when the hearing schedule is established.

If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Victor Stello, Jr.  
Executive Director  
for Operations

Enclosure:  
As stated

8805270187 880519  
PDR ADOCK 05000443  
U PDR

Distribution:

Docket File  
 NRC & Local PDR  
 EDO #003651  
 EDO r/f  
 T. Murley/J. Sniezek  
 F. Miraglia  
 PDI-3 r/f (w/cy of incoming)  
 S. Varga  
 G. Boger  
 OGC  
 V. Stello  
 D. Mossburg  
 PMAS (EDO #003651)  
 B. Clayton  
 D. Brinkman  
 V. Nerses  
 J. Murray/OGC  
 PDI-3 Green Ticket  
 T. Martin  
 F. Gillespie  
 SECY (88-333)  
 W. Russell/RI  
 J. Delmedico

\*See previous concurrence

OFC	:PDI-3 *	:PDI-3 *	:PDI-3 *	:PDI-3/DIR *	:ADR *	:DRPR	:NRR:AD/PROJ
NAME	:MRushbrook	:DBrinkman:ck	:VNerses	:Rwessman	:BBoger	:FMiraglia	:TMurley
DATE	:5/05/88	:5/05/88	:5/05/88	:5/05/88	:5/05/88	:5/09/88	:5/11/88

OFC	:EDO	:TECH ED *	:GPA <i>S</i>	:DRP:DIR	:	:	:
NAME	:VStello	:	: <i>Delmedico</i>	:SVarga	:	:	:
DATE	:5/11/88	:5/05/88	:5/19/88	:5/09/88	:	:	:

OFFICIAL RECORD COPY

*W*

By May 23, 1988, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a

supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, and may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is required that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given a telegram Identification Number 3737 and the following message addressed to Lawrence P. Crocker, Acting Director, Project Directorate II-3; (petitioner's name and telephone number); (date Petition was mailed); (plant name); and (publication date and page number of this Federal Register notice). A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendments after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated January 27, 1988,

which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, and at the Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223.

Dated at Rockville, Maryland, this 15th day of April 1988.

For the Nuclear Regulatory Commission,  
Lawrence P. Crocker,  
Acting Project Director, Project Directorate II-3, Division of Reactor Projects-1/II.  
[FR Doc. 88-8769 Filed 4-20-88; 8:45 am]  
BILLING CODE 7590-01-M

{Docket Nos. 50-443-OL and 50-444-OL (ASLBP No. 82-471-02-OL; (Offsite Emergency Planning))}

**Public Service Co. of New Hampshire (Seabrook Station, Units 1 and 2); Hearing**

April 15, 1988.

Atomic Safety and Licensing Board, Before Administrative Judges: Ivan W. Smith, Chairman, Gustave A. Linenberger, Jr., Dr. Jerry Harbour.

The evidentiary hearing on the offsite emergency planning aspects of this proceeding will resume at 1:00 p.m. on May 2, 1988 in Room 310, Legislative Office Building, Concord, New Hampshire. The hearing will relate to the issue of sheltering the beach population during a radiological emergency at the Seabrook Station.

For the Atomic Safety and Licensing Board,  
Ivan W. Smith,  
Chairman, Administrative Law Judge,  
Bethesda, Maryland, April 15, 1988.  
[FR Doc. 88-8798 Filed 4-20-88; 8:45 am]  
BILLING CODE 7590-01-M

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**Adjustment of Quotas; Tungsten From China**

**SUMMARY:** Pursuant to authority delegated by the President in Proclamation No. 5718 of October 2, 1987, the United States Trade Representative (the USTR) hereby adjusts the quotas specified in the Annex to Proclamation 5718 in accordance with subparagraph (d) of Headnote 11 of Subpart A, Part 2 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202).

**EFFECTIVE DATE:** April 21, 1988.

**FOR FURTHER INFORMATION CONTACT:** Bernard Ascher, (202) 398-4510; John Kingery, (202) 395-6900.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

# ACTION

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EDO PRINCIPAL CORRESPONDENCE CONTROL  
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FROM: REP. JOEL HEFLEY

DUE: 05/<sup>23</sup>~~15~~/88

EDO CONTROL: 003651  
DOC DT: 04/07/88  
FINAL REPLY:

TO: OCA

FOR SIGNATURE OF: EXECUTIVE DIRECTOR

\*\* GREEN \*\*

SECY NO: 88-361

DESC: ENCLOSES LETTER FROM WILLIAM STEELE CONCERNING SEABROOK

ROUTING: RUSSELL MURRAY

DATE: 04/29/88  
ASSIGNED TO: NRR CONTACT: MURLEY

SPECIAL INSTRUCTIONS OR REMARKS:

NRR RECEIVED: APRIL 29, 1988  
ACTION: DRPR:VARGA

NRR ROUTING: MURLEY/SNIEZEK  
MIRAGLIA  
MARTIN  
GILLESPIE  
MOSSBURG

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY May 11, 1988

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-88-0361                      LOGGING DATE: Apr 27 88  
ACTION OFFICE: EDO  
AUTHOR: J. Hefley--Const Ref  
AFFILIATION: U.S. HOUSE OF REPRESENTATIVES  
LETTER DATE: Apr 7 88              FILE CODE: ID&R-Seabrook  
SUBJECT: Comments on newspaper articles concerning with the  
Seabrook nuclear power facility  
ACTION: Signature of EDO  
DISTRIBUTION: OCA to Ack  
SPECIAL HANDLING: None  
NOTES: William Steele  
DATE DUE: May 16 88  
SIGNATURE:                      .                      DATE SIGNED:  
AFFILIATION:

EDO---003651

REC'D BY EDO

Date 4-27-88

Time 3:00