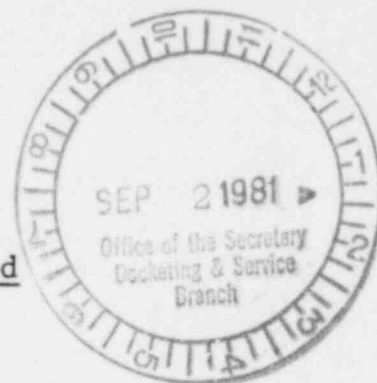


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

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

Status Report on Discussion  
Involving SOC, LILCO and  
the NRC Staff

By stipulation dated August 6, 1981, SOC, LILCO and the NRC Staff asked for postponement of any formal action by the Board and/or the parties on a number of pending motions and discovery requests. The stipulation sought to give the parties additional time to pursue informal discussions that appeared likely to be productive. By Orders dated August 10 and 25, 1981, the Board granted the requested postponement. This status report is submitted to inform the Board of the progress of the informal discussions.

Discovery

On August 25-26, SOC, LILCO and the Staff met at the Shoreham Nuclear Power Station for informal discovery on SOC's contentions. The parties have agreed to continue this process and therefore believe that continued deferral of formal action on discovery matters is appropriate.

Summary Disposition

The Board's Order of August 25 extended until September 18 the time for SOC and the Staff to respond to LILCO's motions for summary disposition on SOC Contentions 1, 2, 3 and 6(a)(i).

With respect to Contentions 1 and 2, a number of discovery items have been identified by SOC as necessary to its response. A schedule for production of these items has been agreed to by the parties. It is anticipated that SOC and the Staff will respond to the summary disposition motions on Contentions 1 and 2 no later than September 18, as previously ordered by the Board.

With respect to all other SOC contentions, progress was made on the 25th and 26th towards narrowing, clarifying or resolving the issues in dispute. The parties have set a prompt schedule for providing SOC with further information on its concerns, and the parties intend to submit a stipulation to the Board covering many of SOC's existing contentions on or about September 11, 1981.<sup>1/</sup> At that time it is likely that LILCO will withdraw its motions for summary disposition of SOC Contentions 3 and 6(a)(i).

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<sup>1/</sup> Submission of a stipulation on September 11 and responses concerning SOC Contentions 1 and 2 on September 18 depends upon the timely production of discovery materials. Staff has indicated that the ongoing preparation of the SER Supplement for Shoreham may delay discovery. If Staff cannot meet the agreed upon schedule, it will advise the parties and the Board in time to adjust the above dates.

Contention 19

SOC has asked the Board to reconsider its Order dated July 7, 1981, dismissing parts of Contention 19 for lack of adequate particularization. The Board approved postponement of LILCO's and the Staff's responses to this motion until September 11. In an effort to avoid further pleadings on Contention 19 and, at the same time, to focus on those regulatory guides of greatest concern to SOC, each of the regulatory guides originally submitted by SOC were reviewed in detail on August 25-26. As a result, the parties are preparing a reparticularized version of Contention 19 which will be submitted to the Board on or about September 11, 1981. It is anticipated that the new proposed contention will eliminate a few of the regulatory guides admitted by the Board in its July 7 Order, while certain of the regulatory guides not already admitted will be included. This version of Contention 19 will be substantially identical in size and scope to the contention previously admitted by the Board. It will, however, more precisely reflect the Regulatory Guide issues which SOC wishes to litigate and will eliminate the need for further pleadings concerning admission of the contention. Accordingly, the parties request that the time for response to SOC's motion for reconsideration be postponed until after the Board has had the opportunity to review the stipulation anticipated on or about September 11. As indicated, it is likely that the responses will prove unnecessary.

SOC Contention 7(a)(ii)(TMI Issues)

SOC has submitted drafts of Contention 7(a)(ii)(TMI issues) to LILCO and the Staff. Work is in progress on particularizing all parts of the contention and identifying those parts of it about which there is some dispute as to justiciability unrelated to particularization. The parties expect that a multi-part contention will be submitted to the Board on or about September 25, 1981. It is likely that pleadings will need to be filed after the submittal on any justiciability issues that remain.

Construction Permit Extension Request Hearing

SOC, LILCO and the Staff discussed a proposed schedule for filing pleadings in the Shoreham Construction Permit extension proceeding established by the Commission's Order of July 22, 1981. A stipulation embodying the agreements reached will be submitted to the Board within the next few days.

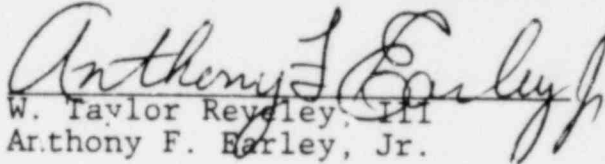
Summary

As indicated, SOC, LILCO, and the Staff have made progress identifying and resolving their differences through informal discussions. They intend to pursue this process along the lines

described above. The parties ask that the Board continue to hold formal action in abeyance while this process continues.

Respectfully submitted

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