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July 6, 1983

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Dr. Peter A. Morris  
Administrative Judges  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
4350 East-West Highway  
Bethesda, Maryland 20814

Re: Long Island Lighting Company;  
Shoreham Nuclear Power Station,  
Unit 1; Docket No. 50-322 O.L.



Gentlemen:

Pursuant to the Board's Memorandum and Order of June 22, 1983 (LBP-83-30), Suffolk County submits the schedule report with respect to its contention regarding cylinder head cracking. Because of the Board's statement that it will consider holding a hearing on that contention as soon as practicable due to its potential impact on issuance of a low power license, but will not hold a hearing on the vibration contention earlier than mid-September, the County and LILCO have agreed to concentrate initially on the head cracking contention. With the Board's permission, we will file a progress report and, if necessary, a proposed litigation schedule regarding the vibration contention on July 29, 1983.

To date LILCO has supplied the County with some documentary information regarding the diesel problems. Representatives of the County attended LILCO's June 30 presentation to the NRC, Region 1, and met with LILCO personnel that afternoon to discuss issues relevant to the head cracking contention. A good deal of the documentary material requested by the County's consultants was not available and, according to LILCO, could only be inspected by the County at Transamerica Delaval's facility in Oakland, California.

We understand that LILCO will file on July 7, 1983, a motion for summary disposition of the head cracking contention.

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The County and LILCO have agreed to the following schedule:

Friday, July 8

Request for discovery of documents to be filed by the County, to include documents to be inspected at Delaval.

Tuesday, July 12

Production of documents and, if necessary, filing of discovery objections by LILCO.

Wednesday, July 13 to Friday, July 15

County's consultants visit to Delaval facility in Oakland, California, to inspect documents, discuss matters with Delaval personnel, and possibly view manufacturing processes.

Monday, July 18 to Friday, July 22

County's consultants evaluate documents and results of Oakland visit, and discuss matters with LILCO and Delaval experts. The County would expect by this time to have received the report of the Staff's consultants, and to have discussions with the Staff and its consultants. The possibility of settlement will be discussed and reviewed.

Friday, July 22

The County will decide and notify the Board and the parties either (a) that a settlement in principle has been reached with LILCO, or (b) that it has not reached a settlement and intends to proceed to litigate the contention. If LILCO has filed a motion for summary disposition of this contention on July 7, then if (a) above, the motion will be replaced by the settlement agreement, and if (b), the County will answer the motion on July 22 (rather than on July 27, as provided by NRC regulations).

If a settlement in principle is not reached by Friday, July 22, the County proposes to take depositions, if any are deemed necessary, during the week of Monday, July 25, and complete them by Monday, August 1. The County does not now

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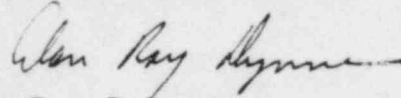
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know if depositions will be required, but if they are, one week is a reasonable, but short, time given that one or more depositions may involve travel to Delaval in California. Accordingly, the County proposes that following completion of depositions by August 1, written testimony be prepared and filed by Wednesday, August 10, and that the hearing commence on Tuesday, August 16.

We understand that LILCO disagrees with this proposed post-July 22 schedule. LILCO proposes that written testimony be filed on August 1 and that the hearing commence on Monday, August 8. The County believes that LILCO's proposal is unrealistic because it would give the County virtually no time to take depositions. Perhaps a viable compromise would be for depositions, if any, to conclude by August 1, but if they conclude earlier, written testimony be due 10 days after the last deposition. If the County takes no depositions, it would agree to August 1 as the filing date for written testimony.

As mentioned above, the County and LILCO will file with the Board a report on the vibration contention and, if necessary, a proposed schedule, on July 29, 1983. The County would expect to propose a schedule which would target September 20 as the hearing date if litigation on that contention develops.

Sincerely yours,



Alan Roy Dymner

ARD/dk

cc: Service List