

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'93 MAR 29 P055

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of :
Northeast Nuclear Energy Co. : Docket No. 50-336-OLA
Millstone II Nuclear Power Plant : (Spent Fuel Pool Design)

COOPERATIVE CITIZEN'S MONITORING NETWORK AFFIRMATION OF
TIMETABLE: FOR RESPONSES TO ASLB ORDER FOR CCMN TO RESPOND
TO DISCOVERY REQUESTS FROM NRC STAFF AND NNECO.

CCMN intends to honor the ASLB order to respond to NNECO and
NRC interrogatories. In fact, CCMN's response to NRC
interrogatories were sent prior to the issuance of that
order. In our response to NRC of March 9, 1993, CCMN
indicated that Dr. Kaku would respond to certain NRC
questions at his deposition.

NNECO counsel, David Repka, had contacted CCMN to inform us
that the proposed March 22 date was not suitable to NRC
Counsel. I personally gave him permission to contact Dr.
Kaku directly to find a suitable time for all three parties.
Since CCMN was not notified until March 15 that NNECO had no
intention of deposing Dr. Kaku, we had assumed it was from
difficulty of NNECO counsel and Dr. Kaku in finding a
suitable time.

In fact Dr. Kaku was never contacted and, as of March 21,
was expecting to be deposed on March 22. When I contacted
him on March 21st, he said he would need at least until
March 31 to respond in writing. The bulk of NNECO questions
must be answered by Dr. Kaku and it was agreed earlier that
those responses would be accepted at his deposition.

We find it inappropriate that the board talk of sanctions
when in fact we seem to have been set up. But we can honor
your order based on the fact that service was by first class
mail mailed on March 16 to which we add five days for
delivery and the 10 days following service that you specify.

Therefore, we will mail our response on April 1, 1993.
Because we have a tentative conference call set April 7th at
2 P.M. we can, as a courtesy, fax our responses to NNECO and
NRC counsel and the chairman of the Board if any party so
indicates that it is desired.

Summary judgements are not what we seek. We do still seek a
public hearing. Mr. Thomas Martin of the NRC and CT.
Congresswoman Rosa DeLauro have indicated that hearings were

to be held and that the license would not be given until one was held. Obviously the latter is not true. It would be a shame that both were not true.

March 25, 1993

Mary Ellen Marucci

Mary Ellen Marucci
Coordinator, CCMN, Inc.

Served by first class mail on March 26, 1993 from New Haven, CT to those listed below. Those marked with an (*) were faxed on March 25, 1993.

March 26, 1993

Mary Ellen Marucci

Mary Ellen Marucci

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