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Judge Herbert Grossman
Chairman, Atomic Safety &
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U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Judge Gustave A. Linenberger
Member, Atomic Safety &
Licensing Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Judge Frank F. Hooper
School of Natural Resources
University of Michigan
Ann Arbor, Michigan 48109

In the Matter of South Carolina
Electric & Gas Company, et al.
(Virgil C. Summer Nuclear Station, Unit 1)
Docket No. 50-395 OL



Gentlemen:

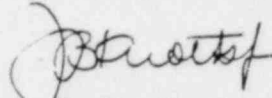
In reviewing the Affidavit of four NRC Staff members which was attached to the April 29, 1982 "NRC Staff Response to Second Late Intervention Petition of Fairfield United Action", I noted a possible ambiguity in paragraph 18 on page 7 of the Affidavit. The possible ambiguity appears in the references to "5% of full power" in the first two sentences, and specifically in the second sentence which reads: "The Staff will address the Applicants' detailed program for interim operation at power levels in excess of 5% of full power at a later date." I have discussed this matter with Staff Counsel, Mr. Goldberg, and confirmed (1) that any such Staff discussion of interim operation in excess of 5% of full power would be expected to be submitted to the Commission in connection with its review of authorized operation in excess of 5% power pursuant to 10 C.F.R. §2.764(f)(2), and (2) that the Staff does not

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contemplate by the quoted sentence making any further submission for action by the Licensing Board in this regard.

Yours very truly,

A handwritten signature in dark ink, appearing to read "J. B. Knotts, Jr.", written in a cursive style.

Joseph B. Knotts, Jr.

Attorney for South Carolina
Electric & Gas Company and
South Carolina Public Service
Authority

cc: Service list.