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## THE CONSERVATION COUNCIL OF NORTH CAROLINA

307 Granville Road, Chapel Hill, N.C. 27514

(919) 942-7935 or 942-1080 (24 hours)

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May 24, 1982 **SERVED MAY 28 1982**

To: James H. Carpenter, Administrative Judge  
Atomic Safety and Licensing Board

From: John Runkle, Executive Coordinator  
Conservation Council of North Carolina

Re: Response to Memorandum dated May 14, 1982

We agree that it is unlikely that your prior relationship with Carolina Power and Light Company should interfere with your judgment in the Shearon Harris Nuclear Power Plant OL proceeding (Docket Nos. 50-400 and 50-401). However we would like to reserve our right to question your participation if something unexpected arises.

Thank you for your disclosure.

*John Runkle*

cc. George F. Trowbridge, Esq.

Docketing and Service Section, NRC

Atomic Safety and Licensing Board Panel, NRC

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ATOMIC SAFETY AND LICENSING BOARD

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Docket Nos. 50-400  
50-401

May 24, 1982

It was however our understanding that the NRC Staff's response which was to be filed on June 7 would include not only the Staff's response to the contentions filed by the petitioners but also would include the Staff's response to the Applicants' response. We do not feel that the Licensing Board would fully benefit from the Staff's response unless it also gave ample consideration to the Applicants' response. Regardless of the Staff's apparent willingness to file on the same day as the Applicant, we feel that as complete written responses are essential to the Licensing Board's consideration of the supplemental

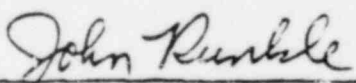
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petitions, the Board should require the Staff to consider the Applicants' response before they file their own response.

However, if the Applicant is allowed an extension in which to file its response, the petitioners will not have adequate time in which to prepare for the special prehearing conference. Instead of having from May 28 to June 14-15 to respond to the Applicants' response and from June 5 to June 14-15 to respond to the Staff's response, the petitioners will only have seven days to respond to both. This will place a serious burden on the petitioners, many of which are volunteers and can only respond to and research during off-work hours. I myself only work part-time for the Conservation Council and would be hard pressed to establish factual and legal arguments in response to the Applicants' response.

As a result of the burdens placed on us by the reasonable extension of time requested by the Applicants, we move that the special prehearing conference be moved to June 28-29 or later, or that, at a minimum, the petitioners be allowed ample time after the prehearing conference in order to respond fully to both the Applicants and the Staff before the Licensing Board issues its Memorandum and Order (Reflecting Decisions Made Following Prehearing Conference).

Respectfully submitted,



John Runkle  
Executive Coordinator, Conservation  
Council of North Carolina  
307 Granville Rd.  
Chapel Hill, NC 27514

WEA

CERTIFICATE OF SERVICE

I hereby certify that copies of this response were served upon the following persons by deposit in the United States mail this 24th day of May, 1982.

George F. Trowbridge, Esq.  
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John Runkle  
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