

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE
ATOMIC SAFETY AND LICENSING BOARD

4/27/83
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In the Matter of)
UNITED STATES DEPARTMENT OF ENERGY)
PROJECT MANAGEMENT CORPORATION) Docket No. 50-537
TENNESSEE VALLEY AUTHORITY)
(Clinch River Breeder Reactor Plant))

APPLICANTS' MOTION TO DISMISS
INTERVENORS' CONTENTION 10

The United States Department of Energy and Project Management Corporation, for themselves and for the Tennessee Valley Authority (the Applicants), hereby file this Motion to Dismiss Intervenor's Contention 10. In support of this Motion, Applicants show the following:

1. Intervenor's Contention 10 alleges the following:

Neither Applicants nor Staff have demonstrated that the facility will be provided with systems necessary to establish and maintain safe cold shutdown and maintain containment integrity that are capable of performing their functions during and after being exposed to the environmental conditions

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- a) associated with postulated accidents, as required by General Design Criterion 4, 10 CFR Part 50, Appendix A; or
- b) created by sodium fires or the burning (or local detonation) of hydrogen.

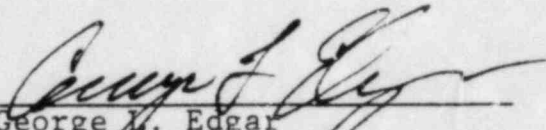
2. Intervenors' April 22, 1983 Response to NRC Staff First Set of Construction Permit Interrogatories and Requests for Admissions to Natural Resources Defense Council, Inc. and the Sierra Club concerning Contention 10 stated that:


Intervenors hereby withdraw Contention 10 from consideration at the CP proceeding and consequently no responses are being provided....

3. In view of Intervenors' Responses quoted above, Contention 10 is no longer in issue in these proceedings as between Applicants and Intervenors. Counsel for the NRC Staff has been contacted and agrees that this contention is no longer in issue and should be dismissed.

4. In the interest of accuracy of the record and to facilitate orderly planning by the Board and all parties, Applicants respectfully request that the Board enter an Order dismissing Intervenors' Contention 10.

Respectfully submitted,


George L. Edgar
Attorney for Project
Management Corporation


William D. Luck
Attorney for the U. S.
Department of Energy

Date: April 27, 1983

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Docket No. 50-537

CERTIFICATE OF SERVICE

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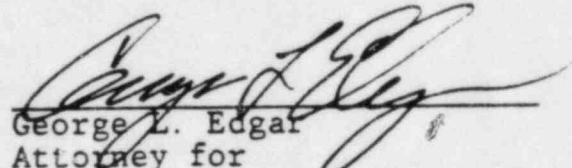
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DATED: April 27, 1983

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