

that the Staff "is satisfied" by a LILCO commitment to comply with GDC 1 during operations, we believe a more accurate characterization is the following: the Staff testified in the reopened proceeding that given LILCO's refusal to adopt the Denton definition of "important to safety," even LILCO's commitment to "do in the future what had been done in the past" would not constitute an acceptable basis for licensing Shoreham. (Findings S7B:40, 42, 46, 64, 66, 70). See Section II.B.2(c) below. Indeed, even LILCO agreed that the difference in safety classification terminology would lead to confusion between LILCO and the Staff during operations. (Finding S7B:43).

We concur with the Staff's observation that LILCO's failure to acknowledge the applicability of regulations to equipment beyond that defined as safety-related will result in a lower standard of performance during operation. (Finding S7B:44). Poor performance is likely to occur with respect to treatment of nonsafety-related equipment (including both maintenance and surveillance), compliance with NRC reporting

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respect to the operation of Shoreham, LILCO's quality assurance and quality standards for nonsafety-related SS&Cs are inadequate]; "LILCO satisfied the Staff's concerns about compliance with GDC 1 during operations by committing to make certain changes to the Shoreham FSAR and other LILCO documents . . ."; and "The Staff believes that [the LILCO] commitment [to amend the FSAR] will ensure that GDC-1, as the Staff interprets it, is met during operation."