

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
ARIZONA PUBLIC SERVICE COMPANY)	Docket Nos. STN 50-529
(Palo Verde Nuclear Generating)	50-530
Station, Units 2 and 3))	

MEMORANDUM IN SUPPORT OF WEST VALLEY AGRICULTURAL
PROTECTION COUNCIL, INC.'S MOTION FOR
MODIFICATION OF DISCOVERY SCHEDULE

The discovery schedule set on March 23, 1983 by the Board for this proceeding adopts the suggested schedule set forward by the parties in their Stipulation of March 9, 1983. The dates in the suggested schedule were chosen in large part to take into account the study of the effects of salt deposition upon crops in the PVNGS region planned by the University of Arizona on Joint Applicants' behalf (the "Crop Study"). Since it now appears that the projected date for completion of the Crop Study is at least six weeks later than the date indicated in the stipulation, West Valley seeks modification of the discovery schedule. As the Crop Study itself indicates (see p. 18, Exhibit 1 to West Valley's Motion for Modification), the study is scheduled to conclude in mid-December.

West Valley requests, first, that the deposition schedule be delayed by six weeks to reflect the additional time now projected for completion of the Crop Study. Under the terms of the present Discovery Order, the parties are directed to produce requested documents by July 1, 1983, with the close of document production set for July 15, 1983. Depositions are scheduled to begin immediately thereafter, on July 18, 1983. By modifying the deposition schedule in accordance with West Valley's request, the

Board will enable the parties more fully to review the many documents likely to be produced in this proceeding and to prepare for effective questioning of deponents. And, rescheduling depositions by six weeks will not delay the remainder of discovery, which cannot begin until production of the Crop Study in mid or late December.

West Valley also requests an additional month of discovery on the Crop Study. The present discovery schedule provides that Crop Study discovery will span the two months following production of the study and related documents. Memorandum and Order of March 23, 1983 at 6. West Valley had not been provided the Crop Study proposal before it entered into the Stipulation on Discovery and the Board entered its Memorandum and Order. Having reviewed the Crop Study, West Valley believes that two months will afford insufficient time to analyze the detailed data which the Study is expected to generate and conduct thorough discovery. Since the question of the effect of salt deposition on area crops is the foundation of West Valley's participation in this proceeding, adequate examination of the Study is essential to effective presentation of the issue at the hearings, or, alternatively, to settlement of the issue should the Study and related discovery show that salt deposition levels will not injure crops. West Valley therefore requests that the Board provide for an additional month of discovery to follow production of the Crop Study, for a total of three months.

For the above stated reasons, West Valley requests that the Board modify its Memorandum and Order of March 23, 1983 as set forth in the Motion for Modification of Discovery Schedule.

Respectfully submitted,

Dated: _____

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