

February 17, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY) Docket Nos. 50-400 OL
AND NORTH CAROLINA EASTERN) 50-401 OL
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant, Units 1 and 2))

APPLICANTS' PROPOSED SCHEDULE

In a recent telephone conference with the parties, the Atomic Safety and Licensing Board invited the parties to submit, by February 17, 1983, proposed schedules for the remainder of the proceeding. See Memorandum (Memorializing Conference Call of January 21, 1983), January 25, 1983, at 2-3. Applicants Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency herein submit their proposed schedule.

Applicants' proposed schedule is based, in part, on the licensing schedule approved by the NRC Division of Licensing, and transmitted in the letter of February 9, 1983, from Thomas M. Novak (NRC) to E. E. Utley (CP&L). Unlike that particular schedule, however, which suggests a single hearing and Board decision, Applicants' proposed schedule follows the well accepted agency practice of grouping major classes of issues and deciding them as soon as they are ripe. We propose that there be three hearings to address the intervenors'

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contentions: (1) environmental matters; (2) safety matters;
and (3) emergency preparedness matters.^{1/}

Environmental Contentions

Applicants propose that the following currently admitted intervenor contentions fall within the Commission's NEPA jurisdiction and should be heard following completion of the NRC Staff's environmental review:

- Joint Contention II (CANP 5)
- CCNC 4, 12 and 14
- CHANGE 9 and 79(c)
- Wilson Ia-d, I(e)-(f4), I(g), and IVC
- Eddleman 15, 22A & B, 20 & 30 (CANP 6), 37B (CANP 5), 75, 80, 83 and 84

Applicants propose that the foregoing contentions, and any other environmental contentions subsequently admitted, be adjudicated on the following schedule:

June 30, 1983 --	Last day for filing discovery requests on contentions currently admitted by ASLB.
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July 29, 1983 --	Last day for filing responses to discovery on contentions currently admitted by ASLB.
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90 days after relevant ASLB order admitting contentions --	Last day for filing discovery requests on new/deferred contentions based on NRC Staff's draft environmental statement.
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^{1/} Applicants recognize that several intervenors are attempting to adjudicate physical security plan issues. If a contention on that subject is admitted eventually, this would be yet a fourth distinct (and in camera) hearing. It would be premature, however, to consider a schedule before it is determined whether or not such a hearing will be held.

120 days after relevant
ASLB order admitting
contentions --

Last day for filing responses to
discovery on new/deferred contentions
based on NRC Staff's draft environ-
mental statement.^{2/}

September 1, 1983 --

Last day for filing motions for
summary disposition.

September 26, 1983 --

Last day to answer any motions for
summary disposition.

October 24, 1983 --

Board ruling on any motions for
summary disposition.

November 14, 1983 --

Filing of direct written testimony.

December 5, 1983 --

Commencement of hearing.

Safety Contentions

Applicants propose that the following currently admitted
intervenor contentions go to hearing following the issuance
of the supplement to the Staff's safety evaluation report:

- Joint Contentions I (CANP 3), IV, V, VI, and
VII (CANP 2 -- part (2) only)
- CHANGE 44
- Wilson III
- Eddleman 9, 11, 41 (CANP 4), 45, 64(f), 65, 67
116 and 132

Applicants propose that the foregoing and any subsequently
admitted safety contentions be adjudicated on the following
schedule:

February 15, 1984 --

Last day for filing discovery
requests.

March 16, 1984 --

Last day for filing responses to
discovery requests.

April 16, 1984 --

Last day for filing motions for
summary disposition.

^{2/} Applicants, Kudzu, CCNC and CHANGE/ELP have agreed to this
schedule up to and including this entry.

May 11, 1984 --	Last day to answer any motions for summary disposition.
June 11, 1984 --	Board ruling on any motions for summary disposition.
July 9, 1984 --	Filing of direct written testimony.
July 30, 1984 --	Commencement of hearing.

Emergency Preparedness Contentions

There are no currently admitted emergency preparedness contentions. Given the interest, however, of several intervenors, and the likelihood that one or more proposed contentions will meet the requirements of 10 C.F.R. § 2.714 and be admitted by the Board, Applicants believe that it is prudent to plan tentatively for the adjudication of emergency preparedness issues. Assuming that draft off-site plans become available in December, 1983 (and that the draft on-site plan is available as well), Applicants propose the following tentative schedule:

January 30, 1984 --	Filing of proposed emergency preparedness contentions.
February 17, 1984 --	Filing of responses by Applicants and Staff to intervenor proposed contentions.
March 16, 1984 --	Board ruling on proposed contentions; discovery begins.
June 15, 1984 --	Last day for filing discovery requests.
July 16, 1984 --	Last day for filing responses to discovery.
August 31, 1984 --	Last day for filing any motions for summary disposition.
September 25, 1984 --	Last day to answer any motion for summary disposition.

October 19, 1984 --

Board ruling on any motions for
summary disposition.

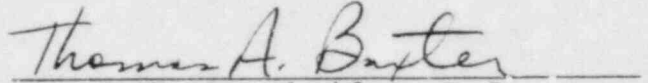
November 12, 1984 --

Filing of direct written testimony.

December 3, 1984 --

Commencement of hearing.

Respectfully submitted,



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Dated: February 17, 1983

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Proposed Schedule" were served this 17th day of February, 1983, by deposit in the U.S. mail, first class, postage prepaid, to the parties on the attached Service List.

Thomas A. Baxter
Thomas A. Baxter, P.C.

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