

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

William C. Porter, Chairman
Michael C. Ferrar, Member
Dr. Lawrence R. Quarles, Member

In the Matter of
DUKE POWER COMPANY

(William B. McGuire Nuclear
Station, Units 1 & 2)

Docket Nos. 50-369
50-370

Mr. Troy B. Connor, Jr., Washington, D. C., for the applicant, Duke Power
Company.

Mr. Jesse L. Riley, for the intervenor, Carolina Environmental Study
Group.

Mr. Gray Staples, for the AEC Regulatory Staff.

SUPPLEMENTAL DECISION

(ALAB-143)

September 6, 1973

On June 13, 1973, we issued a decision (ALAB-128)¹ which denied all but one of the exceptions to the initial decision dated February 21, 1973² of the Atomic Safety and Licensing Board (Licensing Board) designated to provide in this proceeding. We reserved ruling on the Carolina Environmental Study Group's (Study Group) exception 55 which raised the issue of whether the applicant's organization for quality assurance complies with 10 CFR Part 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants." With regard to that exception, we concluded, for the reasons stated in ALAB-128, that the record must be clarified. We remanded the proceeding to the Licensing Board for that sole purpose.³ We retained jurisdiction and directed that the Licensing Board certify the record to us upon completion of the actions called for by our remand. ALAB-128 also stated that upon completion of our review of the certified record, we would issue an appropriate ruling.

The Licensing Board acted promptly to implement our remand and on July 10, 1973 conducted an evidentiary hearing with regard to the issue involved in the remand.⁴ Evidence was also received at that

¹ Duke Power Company (William B. McGuire Nuclear Station, Units 1 and 2), ALAB-128, RAL-73-6 p. 399 (June 13, 1973).

² LBP 73-7, RAL-73-2, p. 52 (February 21, 1973).

³ ALAB-128, supra, note 1, RAL-73-6, pp. 407-410.

⁴ "Under Reopening Record of Proceeding to Receive Additional Evidence and Convening Hearing on July 10, 1973", June 18, 1973.

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