

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY)
and NORTH CAROLINA EASTERN)
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant))

Docket No. 50-400 DOCKETED
CNRC

'85 AUG -2 A11:15

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

RESPONSE BY THE ATTORNEY
GENERAL OF NORTH CAROLINA
TO APPLICANTS' MOTION FOR
SUMMARY DISPOSITION OF CCNC
CONTENTION WB-3
(DRUG ABUSE DURING CONSTRUCTION)

NOW COMES, Lacy H. Thornburg, Attorney General of North Carolina, and in response to the Applicants' Motion for Summary Disposition of CCNC Contention WB-3; respectfully shows the Board the following:

1. The Attorney General reviewed the Motion for Summary Disposition and the supporting affidavits filed in this matter by the Applicants in response to CCNC Contention WB-3.

2. Furthermore, the Attorney General requested that the State Bureau of Investigation of the North Carolina Department of Justice evaluate the assertions made in the Affidavit of Michael W. King concerning the undercover drug operation conducted at the Shearon Harris Nuclear Power Plant. Based on the investigation, an affidavit has been prepared by S.B.I. Agent S. L. Burch, Assistant Supervisor of Drug Investigations, Capital District.

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3. In an effort to assist the Board in "developing a sound record," 10 C.F.R. 2.714 (a)(1)(iii); the Attorney General respectfully submits the affidavit of S. L. Burch for the Board's consideration in resolving the present issue. The Attorney General contends that the information provided in the affidavit of S. L. Burch will allow the Board to make a more informed decision; and thus, to better insure the public safety.

Respectfully submitted, this the 31st day of July, 1985.

LACY H. THORNBURG
Attorney General

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