

January 27, 1988

Dockets Nos.: STN 50-454, STN 50-455
* STN 50-456 and STN 50-457

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Mr. L. D. Butterfield, Jr.
Nuclear Licensing Manager
Commonwealth Edison Company
Post Office Box 767
Chicago, Illinois 60690

Dear Mr. Butterfield:

The Commission has filed the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Prior Hearing" with the Office of the Federal Register for publication. This notice relates to your request of November 17, 1987, to amend the Technical Specifications to Operating Licenses NPF-37 and NPF-66 for Byron Station, Units 1 and 2 and NPF-72 and NPF-75 for Braidwood Station, Units 1 and 2. The amendments would add two radiation monitors in the Technical Specifications and add a requirement that a composite sample of sump effluent be taken prior to discharge into the circulating water system.

A notice offering a prior opportunity for hearing is being issued because the nature of the action is too complex for the staff to reach a no significant hazards determination without substantial technical review.

Sincerely,

Leonard Olshan, Project Manager
Project Directorate III-2
Division of Reactor Projects - III,
IV, V and Special Projects

Enclosure: As stated

cc: See next page

PD III-2:PM
LOlshan:bj
1/27/88

PD III-2:LA JJ
LLuther
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PD III-2:PD
DM Luther
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Mr. L. D. Butterfield, Jr.
Commonwealth Edison Company

Byron/Braidwood

cc:

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Mr. L. D. Butterfield, Jr.
Commonwealth Edison Company

- 2 - Byron/Braidwood

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSIONCOMMONWEALTH EDISON COMPANYDOCKET NOS.: 50-454, STN 50-455, STN 50-456 AND STN 50-457NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTTO FACILITY OPERATING LICENSE ANDOPPORTUNITY FOR PRIOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-37 and NPF-66 issued to Commonwealth Edison Company (the licensee), for operation of Byron Station, Units 1 and 2 located in Ogle County, Illinois and Facility Operating License Nos. NPF-72 and NPF-75, issued to the licensee, for operation of Braidwood Station, Units 1 and 2, located in Will County, Illinois.

The amendments add two radiation monitors in the Technical Specifications and add a requirement that a composite sample of sump effluent be taken prior to discharge into the circulating water system. The licensee's application of February 18, 1987 proposed to add the two radiation monitors in the Technical Specification for Byron and was noticed in the FEDERAL REGISTER on March 25, 1987 (52 FR 9561). By application dated November 17, 1987, the licensee added the requirement for the composite sample of sump effluent and requested that the amendment also be applied to Braidwood.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By March 4, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party

may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the

Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Daniel R. Muller: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel - Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael Miller, Esq., Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated November 17, 1987, which is available for public inspection

at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C.;
the Rockford Public Library, 215 N. Wyman Street, Rockford, Illinois 61101; and
the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington,
Illinois 60481.

Dated at Bethesda, Maryland this 27th day of January 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

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Daniel R. Muller, Director
Project Directorate III-2
Division of Reactor Projects - III,
IV, V and Special Projects

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