

RAS 5872

November 13, 2002

DOCKETED 11/13/2003

MEMORANDUM TO: G. Paul Bollwerk, III
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: REQUEST FOR HEARING SUBMITTED BY
BARRY QUIGLEY

Attached is a petition for leave to intervene and request for a hearing dated November 4, 2002, submitted by Barry Quigley (ADAMS accession no. ML 023170372). Mr. Quigley is seeking intervention with respect to an immediate effective Confirmatory Order Modifying License issued to Exelon Generation Company, LLC and AmerGen Energy Company, LLC the holders of twenty-one nuclear power plant licenses (Docket Nos. 50-454/455 et al.) affected by the Order. The Confirmatory Order provides for corrective action in the form of counseling and training of personnel involved in violations of 10 CFR 50.7. The issuance of the Order follows an investigation by NRC's Office of Investigations to ascertain whether an employee of the Byron Nuclear Station had been discriminated against for raising safety concerns. The Order was issued on October 3, 2002 and published in the Federal Register at 67 Fed. Reg. 63169 (October 10, 2002).

As additional background, attached is an extension request of Mr. Quigley dated October 22, 2002, addressed to the Director, OE. The Director's response dated October 23, 2002, granting the request is also attached.

The request for hearing and additional background material is being referred to you for appropriate action in accordance with 10 C.F.R §2.772(j).

Attachments: As stated

cc: Commission Legal Assistants
OGC
CAA
OPA
EDO
NRR
OE
Barry Quigley