



June 14, 1996

Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Attn.: Document Control Desk

Subject: Public Notice Associated with Dresden Station Unit 3
License Amendment # 144
NRC Docket No. 50-249

Reference: (a) J.S. Perry Letter to NRC Dated May 22, 1996

Dear Mr. Capra:

At the request of your staff, ComEd has been asked to provide information regarding the events surrounding the publication of the expedited license amendment that ComEd's Dresden Station sought pursuant to 10 CFR Part 50.90. (Reference (a)). Regulations require the NRC to publish notice to the public in local media "in the area surrounding a licensee's facility" to substitute for the 30 day notice requirement in the Federal Register. Additionally, this regulation makes clear that the NRC is to "consult[] with the licensee (in this case, ComEd) on the proposed media release and on the geographical area of its coverage." 10 CFR 50.91 (a) (6) (i) (B).

Throughout the day on Friday, May 24, 1996, ComEd was interacting with NRC staff, as had been done previously to meet notice requirements. ComEd had discussions with the NRR Projects Office and the NRC Region III Public Affairs office to determine the most suitable newspaper in which the notice could be placed. Several different newspapers were contacted to determine if such a notice could be placed in a timely manner to support a prompt start up of Dresden Unit 3. The ComEd initial recommendation to the NRC staff was to place the notice in the Joliet Herald News and in the Morris Daily Herald based on the location of their circulation relative to the Dresden Station. The NRC concurred with the recommendation.

Subsequently, ComEd learned that the two initially recommended newspapers would be unable to publish the notice in the legal notice section until Wednesday, May 29, 1996 as legal notices had been closed for the day and they did not publish legal notices on weekends and legal holidays (Monday, May 27th being Memorial Day). This information was communicated to your staff. As a result, we in conjunction with the NRC staff explored the possibility of publishing the notice in the

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Sunday, May 26, 1996 Chicago Tribune edition that would actually reach newsstands at noon on Saturday, May 25, 1996.

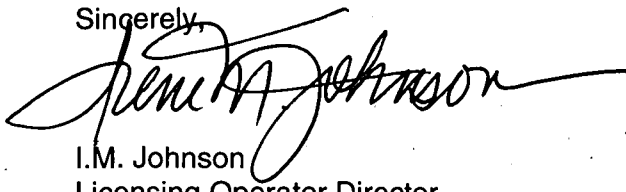
In subsequent communications with the NRC Region III Public Affairs Office, we learned that it was the opinion of that office that the Chicago Tribune was not the appropriate newspaper to solely carry the public notice and that the appropriate papers were indeed those in Joliet and Morris, both in the vicinity of the station. ComEd concurred in this assessment and efforts at that time focused on obtaining advertising space for the notice, versus placing it in the legal notice section on Wednesday, May 29, 1996, thereby precluding a four day delay in the noticing process.

ComEd confirmed with the Joliet Herald News late Friday, May 24, 1996 that advertising space had been found in the Saturday, May 25, 1996 edition of that paper. ComEd Communications Services staff then directed its Advertising Department to cancel the Tribune space, believing it was no longer necessary. This action was a result of an assumption by ComEd's Communications Services that with publication of the notice in the local newspaper, the original NRC staff objectives had been fulfilled and the opinion of the NRC Region III Public Affairs Office had been respected.

Additionally, ComEd learned that the NRC Staff had transmitted draft text for the notice to the Chicago Tribune. However, it is ComEd's understanding that this text arrived at the Tribune's office after their advertising deadline.

ComEd's Communication Services and Advertising Departments have been counseled on coordinating future legal notice releases with the NRC. We do not anticipate such confusion will occur in the future. ComEd will continue to cooperate fully with the NRC in fulfilling required provisions for the placement of public notices.

Sincerely,

A handwritten signature in black ink, appearing to read "I.M. Johnson", with a long horizontal flourish extending to the right.

I.M. Johnson
Licensing Operator Director