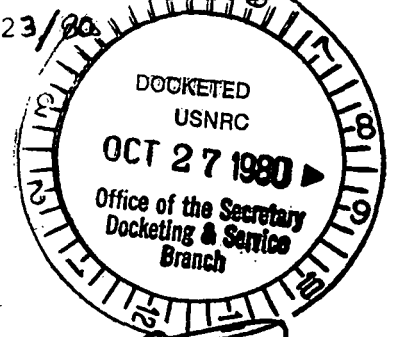


10/23/80



United States of America
Nuclear Regulatory Commission

In the Matter of)
Commonwealth Edison Company)
Dresden Station Units 2 and 3)
Quad Cities Station Units 1 and 2)
Zion Station Units 1 and 2)

NRC Docket Nos. 50-237/249
50-254/265
50-295/304

Request for Hearing

Commonwealth Edison Company ("Commonwealth") holds NRC operating licenses for the above-captioned nuclear units in the State of Illinois. On September 19, 1980, the Director, Division of Licensing entered a "Revised Order for Modification of License" in respect of each of such units requiring the submission to the NRC by November 1, 1980, of certain information relating to environmental qualification of safety-related electrical equipment. With respect to Dresden Unit 3 and Quad Cities Units 1 and 2, the Revised Orders required:

Information which fully and completely responds to the staff's request as specified in I.E. Bulletin 79-01B, shall be submitted to the Director, Region III, Office of Inspection and Enforcement, by the licensee not later than November 1, 1980.

With respect to Dresden Unit 2, the Revised Order required:

Information which fully and completely responds to the Staff's request as specified in NRC's letters dated March 6, 1980, and March 28, 1980, shall be submitted to the Director, Division of Licensing by the licensee not later than November 1, 1980.

With respect to Zion Units 1 and 2, the Revised Orders required:

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Information which fully and completely responds to the Staff's request as specified in NRC's letters dated March 5, 1980, and March 20, 1980, shall be submitted to the Director, Division of Licensing by the licensee not later than November 1, 1980.

(Hereinafter, these are collectively referred to as the Revised Orders).

On September 30, 1980, the NRC Staff issued Supplement No. 2 to I.E. Bulletin No. 79-01B presenting generic questions and answers applicable to I.E. Bulletin 79-01B. Although I.E. Bulletin 79-01B is not explicitly referenced in the Dresden Unit 2 and Zion Revised Orders, Commonwealth assumes that Supplement No. 2 to I.E. Bulletin 79-01B will be used by the Staff to measure the adequacy of Commonwealth's responses in respect of all of Commonwealth's units. Commonwealth has submitted or will submit on or before November 1, 1980, all appropriate environmental qualification information requested by the Staff prior to the issuance of Supplement No. 2. However, despite Commonwealth's best efforts, it will be unable to supply such information by November 1, 1980, in two areas in which Supplement No. 2 made significant changes in previous Staff directions:

(1) TMI Lessons Learned Equipment

I.E. Supplement No. 2 requires that Environmental Qualification information be submitted by November 1, 1980, for all equipment required to be installed by January 1, 1981 in accordance with NUREG-0578 ("TMI Lessons Learned Recommendations"). This constitutes a change in the qualification program since previous Staff environmental qualification requirements never addressed this

equipment. Because this new requirement comes so late, Commonwealth will not be able to meet the November 1, 1980, deadline for furnishing environmental qualification information for TMI Lessons Learned equipment. Further, equipment procurement is still in progress, and Commonwealth needs time to perform an adequate review of environmental qualification information as it is received. Accordingly, Commonwealth requests until June 1, 1981, to provide this information. This is not inconsistent with the Commission's Memorandum and Order, Petition For Emergency And Remedial Action, CLI-80-21, 11 NRC 707 (May 23, 1980), since the February 1, 1981, date for completion of an NRC SER was not intended to include TMI Lessons Learned Equipment. This equipment represents an improvement in safety; environmental qualification of such equipment only affects the degree of improvement. Moreover, the more important deadline of June 30, 1982, for having environmentally qualified equipment in all operating reactors, will still be met with the delay requested herein.

(2) Valve Position Indicators

Supplement No. 2 to IE Bulletin 79-01B, Question/Answer 5 states that "valve position indicators", among other items, should be qualified to function in the relevant accident environment. However, prior to the issuance of Supplement No. 2 on September 30, 1980, the NRC Staff had indicated that it would be acceptable to qualify only those limit switches which are used in safety-related control applications, and that those limit switches used merely as

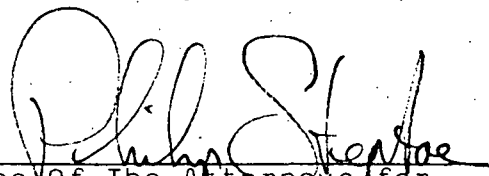
valve position indicators need not be environmentally qualified.^{1/}
This late change in Staff position makes it impossible for Commonwealth to comply in this respect with the explicit terms of the Revised Orders by November 1, 1980. Therefore, Commonwealth requests an extension until June 1, 1981, to achieve environmental qualification of such limit switches used for indication only. Again, this is consistent with the June 30, 1982, deadline set forth in the Commission's May 23, 1980, Memorandum and Order.

The Revised Orders provide that the licensee may request a hearing concerning the Revised Orders, in which event the issue to be considered will be whether the licenses should be modified to require submission of information as required therein. Accordingly, Commonwealth Edison requests a hearing so that a Licensing Board may be established to extend the Staff's November 1, 1980 deadline to June 1, 1981, for the items identified in Paragraphs 1 and 2 herein. Further, Commonwealth hereby moves the Licensing Board to immediately suspend the effectiveness of the Revised Orders entered by the Director, Division of Licensing insofar as they apply to

^{1/} Discussed in the following NRC/Licensee meetings: (a) March 26 and 27, 1980 Zion Station meeting attended among others by M. Fletcher and B. Morris of the NRC, and S. Zunjic and N. Smith of Commonwealth; (b) June 3, 1980 Zion Station meeting attended among others by J. Lombardo and C. Crane for the NRC, and S. Zunjic and N. Smith of Commonwealth; and (c) July 28, 29, and 30 Dresden Station meeting attended among others by J. Lombardo and C. Crane for the NRC and R. Mirochna and N. Smith of Commonwealth.

items 1 and 2. Commonwealth believes it is acting in good faith in response to the Revised Orders and that the above requests are technically justifiable. If the Staff agrees, it can obviate the necessity for a hearing by modifying its Revised Orders appropriately, and we urge the Staff to do so.

Respectfully Submitted,



Philip S. Steinhilber
One Of The Attorneys for
Commonwealth Edison Company

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United States of America
Nuclear Regulatory Commission

In the Matter of)
Commonwealth Edison Company)
Dresden Station Units 2 and 3) NRC Docket Nos. 50-237/249
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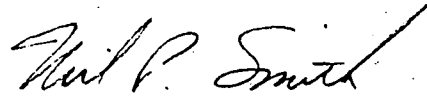
STATE OF ILLINOIS)
)
COUNTY OF COOK) SS.

AFFIDAVIT OF
NEIL P. SMITH

My name is Neil P. Smith. I hold a degree in Engineering from the University of Illinois and a MBA from the University of Chicago, and am currently employed as a Senior Engineer in the Station Nuclear Engineering Department of Commonwealth Edison Company with responsibility for supporting the NRC's Systematic Evaluation Program (SEP) for Dresden Units 1 and 2. I have also been involved in supporting, in detail, the Commonwealth Edison Company environmental qualification of safety-related electrical equipment effort for Dresden Units 2 and 3, Quad Cities Units 1 and 2, and Zion Units 1 and 2.

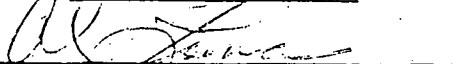
I have reviewed the attached Request for Hearing and submit that the information contained therein is, to the best of my knowledge, accurate. Commonwealth Edison has proceeded to comply with NRC environmental qualification requirements in good faith, and

I believe that the technical concurrence and limited extensions requested neither violate the intent of the Commission's Memorandum and Order dated May 23, 1980, nor present an undue safety hazard.



Neil P. Smith

SUBSCRIBED and SWORN
to before me this 23RD
day of October, 1980



Notary Public

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
COMMONWEALTH EDISON COMPANY)	
Dresden Station Units 2 and 3)	NRC Docket Nos. 50-237/249
Quad Cities Station Units 1)	50-254/265
and 2)	50-295/304
Zion Station Units 1 and 2)	

CERTIFICATE OF SERVICE

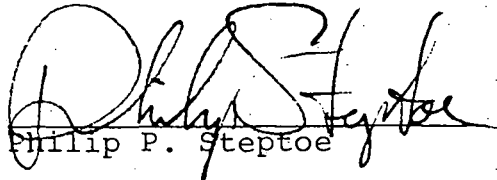
I hereby certify that a copy of Licensee's "Request for Hearing" in the above-captioned proceedings has been served upon the following by deposit in the United States Mail, first class postage prepaid, this 23rd day of October, 1980:

Director,
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Richard Goddard
Office of Executive Legal Director
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Philip P. Steptoe

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