

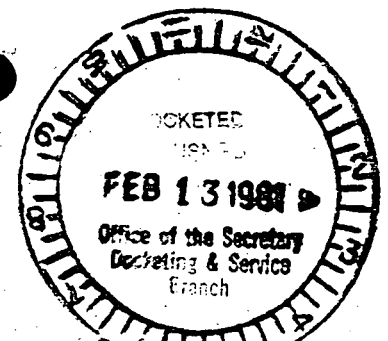
ISHAM, LINCOLN & BEALE
COUNSELORS AT LAW

ONE FIRST NATIONAL PLAZA FORTY-SECOND FLOOR
CHICAGO, ILLINOIS 60603
TELEPHONE 312-558-7500 TELEX: 2-5288

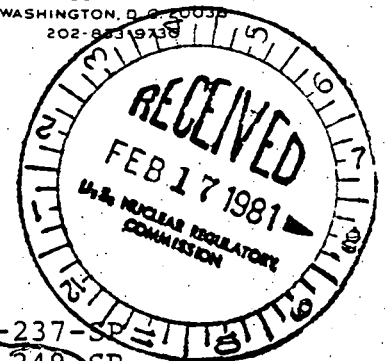
February 9, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

THE ATOMIC SAFETY AND LICENSING BOARD



WASHINGTON OFFICE
1120 CONNECTICUT AVENUE, N.W.
SUITE 325
WASHINGTON, D.C. 20003
202-887-1939



In the Matter of)
COMMONWEALTH EDISON COMPANY)
(Dresden Station, Units 2 & 3))

Docket Nos. 50-237-SP
50-249-SP
(Spent Fuel Pool
Modification)

Dear Administrative Judges:

Enclosed is Mr. Gilcrest's affidavit which should have been filed with his testimony submitted on January 30, 1981. I apologize to the Board and the other parties for any inconvenience associated with this delay.

In reading recent advance sheets, I see that an Appeal Board case I cited in my cover letter on January 30, 1981 has a subsequent history. In CLI-80-41, 12 NRC _____, CCH Nuclear Regulation Reports ¶30,549 (Dec. 12, 1980) the Commission decided to review some of the generic issues implicit in Florida Power and Light Co. (St. Lucie Nuclear Power Plant, Unit 2) ALAB-603, 12 NRC 30 (1980). The Appeal Board thereupon issued a memorandum dated December 22, 1980 explaining certain aspects of its earlier decision. See CCH Nuclear Regulation Reports ¶30,551. None of this subsequent history appears to call into question the proposition for which ALAB-603 was cited: namely, that if, as in the case of channel bowing, an event is not so unlikely as to be fairly characterized as "incredible", the consequences must be examined.

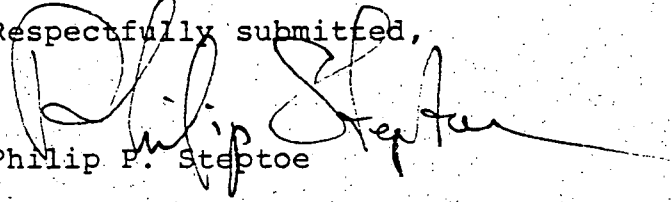
Finally, included in the January 30, 1981 submittal was an affidavit by Dr. Kin Wong concerning the criticality

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Administrative Judges
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analysis of the new Exxon fuel. If Judge Remick or any other Judge or party wishes to explore this matter further at the hearings which will be held in respect of the channel bowing matter, Applicant requests that it be so informed a reasonable time in advance, so that we can be sure to have Dr. Wong available.

Respectfully submitted,


Philip P. Steptoe

PPS/kb
Enc.

CC: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
THE ATOMIC SAFETY AND LICENSING BOARD

In the matter of COMMONWEALTH EDISON COMPANY) Docket Nos. 50-237-SP
(Dresden Station, Units 2 & 3)) (Spent Fuel Pool
Modification)

SS:
County of Santa Clara

AFFIDAVIT OF JAMES D. GILCREST

I, James D. Gilcrest, being first duly sworn, state that
the attached testimony is true and correct to the best of my
knowledge and belief.

James D. Gilcrest

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 5th DAY OF Feb. 1981

Margery H. Epperson
NOTARY PUBLIC - CALIFORNIA

