

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
) Docket Nos. 50-237-SP
COMMONWEALTH EDISON COMPANY) 50-249-SP
) (Spent Fuel Pool
(Dresden Station, Units 2 & 3)) Modification)

APPLICANT'S RESPONSE TO NRC STAFF'S
"PROPOSED SUPPLEMENTAL FINDINGS OF
FACT AND CONCLUSIONS OF LAW"

Pursuant to 10 CFR §2.754, Applicant submits the following response to the NRC Staff's Supplemental Proposed Findings of Fact and Conclusions of Law.

1. Applicant has no objection to Staff's proposed finding 7, with the modification of the dates on which the supplemental hearing was held to April 20 and 21, 1981.

2. Applicant has no objections to paragraphs 3-11 of the Staff's "Proposed Supplemental Findings of Fact and Conclusions of Law."

3. Applicant believes Staff's proposed modification of Applicant's proposed finding 141 should not be adopted. Dr. Gilcrest's prepared testimony establishes that fuel assemblies, when fully inserted, will not sit entirely below the lead-in clips. (Gilcrest, prepared supplemental testimony at p. 3, Figure 1, following Tr. 1013.)

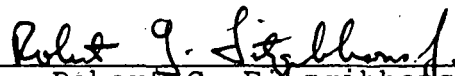
4. Applicant has no objection to paragraphs 13 and 14 of the Staff's "Proposed Supplemental Findings of Fact and Conclusions of Law."

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5. Applicant also believes that Staff's proposed amendment of Applicant's proposed finding 147 should not be adopted. The language Staff would include in this finding refers to the effect on criticality which could potentially result from the positioning of a fuel assembly along side the proposed racks. This is not the situation addressed by Applicant's proposed finding 147. The sentence Staff desires to modify deals with the positioning of an empty fuel channel, not a fuel assembly, along side the racks. Dr. Wong testified that an empty fuel channel positioned along side the proposed racks would not have an effect on criticality. (Tr. 842-43).

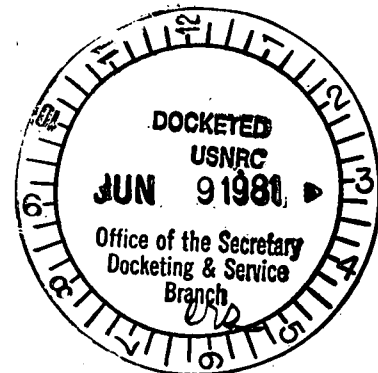
6. Applicant concurs in and adopts Staff's proposed modifications to Applicant's Commitment 4 set forth in paragraph 18 of the Staff's "Proposed Supplemental Finding of Fact and Conclusions of Law."

Respectfully submitted,


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DATED: June 4, 1981



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CERTIFICATE OF SERVICE

I, Robert G. Fitzgibbons, one of the attorneys for Commonwealth Edison Company, certify that copies of Applicant's Response to NRC Staff's "Proposed Supplemental Findings Of Fact And Conclusions of Law" has been served in the above-captioned matter on the following by depositing the same in the United States mail, first class postage prepaid, this 4th day of June, 1981:

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