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June 15, 1981

Mr. Harold Denton  
Director of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Safety Evaluations for Environmental  
Qualification of Safety-Related  
Electrical Equipment at Zion, Dresden  
and Quad Cities Stations.  
NRC Docket Nos. 50-295, 50-304,  
50-237, 50-249, 50-254, 50-265.

Dear Sir:

This is a request on behalf of Commonwealth Edison Company for hearings on environmental qualification requirements pursuant to 10 C.F.R. §§ 2.204 and 2.206 and pursuant to the Commission's decision in the matter of Petition for Emergency and Remedial Action, CLI-80-21, 11 N.R.C. 707 (May 27, 1980).

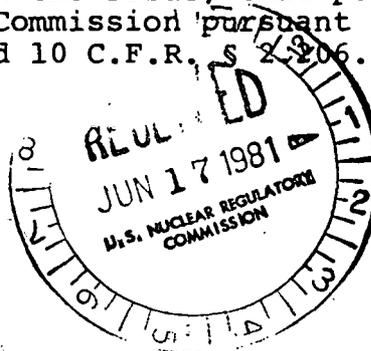
In May 1980 in response to a "Petition for Emergency and Remedial Action" filed by the Union of Concerned Scientists, the Nuclear Regulatory Commission directed the NRC Staff to complete its reviews of environmental qualification, including the publication of safety evaluation reports by February 1, 1981. It also directed that by June 30, 1982 all safety-related electrical equipment in all operating plants must be qualified to the DOR Guidelines or NUREG-0588. The Commission went on to state,

If an interested person reviews the Staff's written judgment on qualification and desires a hearing on the issue, that person may petition the Commission pursuant to 10 C.F.R. § 2.202 and 10 C.F.R. § 2.206.

11 N.R.C. 707, 714-715.

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On May 21, 1981 the NRC Staff issued its Environmental Qualification Safety Evaluations for Zion Station, Units 1 and 2. Similar safety evaluations were issued on June 3, 1981 for Dresden Unit 3 and Quad Cities, Units 1 and 2.<sup>1/</sup>

Although there obviously has not yet been sufficient time for detailed review of all the material accompanying the Staff's safety evaluations, and in some respects the safety evaluations are acknowledged by the Staff to be incomplete, it is now apparent that there are substantial areas of disagreement between Commonwealth Edison and the NRC Staff with respect to the proper interpretation of DOR Guidelines and NUREG-0588 and the proper scope of environmental qualification requirements. Areas of technical disagreement are outlined in the attached affidavit of Neil P. Smith.

To date, Commonwealth Edison's efforts to resolve these technical disagreements on an informal basis with the NRC Staff have been unproductive. While Commonwealth Edison is attempting in good faith to upgrade environmental qualification of existing equipment at its operating nuclear powerplants as promptly as possible, the disputed Staff positions on environmental qualification are not mandated by the Commission's Memorandum and Order dated May 27, 1980. Moreover, in Commonwealth Edison's opinion these new Staff proposals are technically unjustified, wasteful and may, in some cases, be counter-productive from a safety standpoint. Therefore, Commonwealth Edison requests an evidentiary hearing in respect of its Zion, Dresden and Quad-Cities nuclear stations with respect to the issues identified in Mr. Smith's affidavit.<sup>2/</sup> Since the Staff's safety evaluations are incomplete in some respects, and since there has not been adequate time to perform a detailed review of the Staff documents, Commonwealth Edison will supplement the list of contested issues in Mr. Smith's affidavit within 120 days of issuance of the safety evaluations, and it will also supplement this list of issues following the issuance of any supplemental safety evaluations.

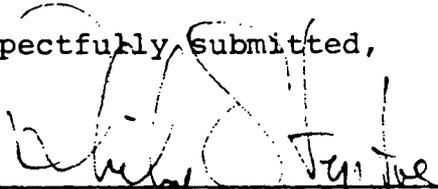
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<sup>1/</sup> Commonwealth Edison has not yet received the Staff's safety evaluation for Dresden Unit 2.

<sup>2/</sup> The legal basis for this request is the Commission's Memorandum and Order, CLI-80-21, 11 N.R.C. 707, 715 (quoted in the text above), and 10 C.F.R. § 2.206. In the alternative, if the Staff's safety evaluations are regarded as giving meaning to the Staff's Orders For Modification of Licenses issued in October 1980, then this request would also be proper under 10 C.F.R. § 2.204.

Commonwealth Edison recognizes that environmental qualification requirements may best be handled in an industry-wide proceeding. Notwithstanding this request for hearing, Commonwealth Edison has no objection to consolidation with other affected licensees in a generic proceeding. In anticipation of such a generic approach, Commonwealth Edison is a participant in an Environmental Qualification Group associated with the law firm of Debevoise & Liberman.

Respectfully submitted,

  
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One of the attorneys for  
Commonwealth Edison Company