

# AN AMERICAN NUCLEAR INSURERS

BURT C. PROOM, CPCU  
President

*Doc 50-237*

JOHN E. HARWARD  
Vice President - Claims

March 11, 1983

Mr. Jerome Saltzman  
Assistant Director  
State and Licensee Relations  
Office of State Programs  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Abstract #83  
Commonwealth Edison Company  
Re: Charles Rexroat  
D/O: March 5, 1981

Dear Mr. Saltzman:

This case involves a technical overexposure of the plaintiff, Charles Rexroat, on March 5, 1981, while working as a millwright for Lindblad Construction Company at the Commonwealth Edison Dresden II nuclear facility in Morris, Illinois.

Medical examination of the plaintiff immediately following his radiation exposure did not disclose any injury, but Summons and Complaint have now been filed, copy attached, alleging unspecified injury connected with this incident.

We have agreed to participate in this suit on behalf of Consolidated Edison Company and have assigned the case to defense counsel to file an answer on their behalf, and initiate legal discovery to determine the nature and extent of the plaintiffs injuries, if any, resulting from his radiation exposure at the Dresden facility.

Very truly yours,

*J. E. Harward*  
J. E. Harward  
Vice President, Claims

JEH/pbj  
Enclosure

8303240226 830311  
PDR ADOCK 05000237  
PDR

*M012*

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

(2-81) CCG-1A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

(Name all parties)

CHARLES REXROAT,

Plaintiff,

v.

COMMONWEALTH EDISON COMPANY,  
a Corporation,

Defendant.

RECEIVED

MAR 7 1983

COPY

CLAIM DEPARTMENT

83L 3357

No. ....

PLEASE SERVE:

COMMONWEALTH EDISON COMPANY, a Corporation  
R.P. Bachert, Reg. Agent  
One First National Plaza  
Chicago, IL 60690

SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the office of the clerk of this court (located in the Richard J. Daley Center, Room \* 801 Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with indorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. This summons may not be served later than 30 days after its date.

FEB 17 1983

WITNESS, ....., 19....

.....  
Clerk of court

MORGAN M.  
Clerk of court

Name ANESI, OZMON, LEWIN & ASSOCIATES, LTD.  
Attorney for Plaintiff  
Address 188 West Randolph Street  
City Chicago, IL 60601  
Telephone 312/372-3822

Date of service: ..... 19....  
(To be inserted by officer on copy left with defendant or other person)

MORGAN M. FINLEY, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

\*Law Division Room 801  
Chancery-Divorce Division Room 802  
County Division Room 801  
Probate Division Room 1202



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FILED  
1983 FEB 17 PM 2 15

CHARLES REXROAT,

Plaintiff,

vs.

COMMONWEALTH EDISON COMPANY,  
a Corporation,

Defendant.

NO.

83L 3357

COMPLAINT AT LAW

Now comes the Plaintiff, CHARLES REXROAT, by his attorneys, ANESI, OZMON, LEWIN & ASSOCIATES, LTD., and complaining of the Defendant, COMMONWEALTH EDISON COMPANY, a Corporation, alleges as follows:

1. That on March 5, 1981, and for a long time prior thereto, the Defendant possessed, operated, managed, maintained and controlled or had a duty to possess, operate, manage, maintain and control, both directly and indirectly, individually and through its agents, servants, and employees, Reactor #2 located at or about the Dresden Power Plant, in the City of Morris, County of Grundy and State of Illinois.

2. That at the aforementioned time and place and prior thereto, the Defendant, well knowing its duty in this regard, carelessly and negligently caused and permitted said Reactor to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

That at the aforesaid time and place, the Plaintiff was working as a millright, employed by Lindblad Construction Co., installing pipes in Reactor #2.

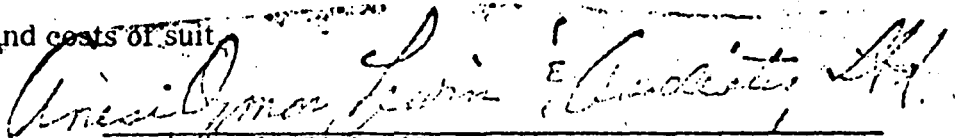
4. That the Defendant was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- (a) Permitted an excessive amount of radiation to escape and be absorbed by the Plaintiff.
- (b) Failed to provide Plaintiff with sufficient protection from excessive radiation exposure.
- (c) Failed to warn Plaintiff of the possibility of excessive radiation exposure at and before the time of this occurrence.

5. That on the aforementioned date and as a result of the aforesaid acts of the Defendant, the Plaintiff was exposed to a dangerously high dosage of radiation.

6. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to usual duties and affairs, and has lost and will in the future lose the value of that time as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff demands judgment against the Defendant, COMMONWEALTH EDISON COMPANY, a Corporation, in the sum of ONE MILLION DOLLARS (\$1,000,000.00) and costs of suit.

  
Attorneys for Plaintiff

Curt N. Rodin  
ANESI, OZMON, LEWIN & ASSOCIATES, LTD.  
188 West Randolph Street  
Chicago, IL 60601  
312/372-3822

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FEB 17 1983  
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1983 FEB 17 PM 2:15  
CLERK OF COURT  
JANLEY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

CHARLES REXROAT, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 COMMONWEALTH EDISON COMPANY, )  
 a Corporation, )  
 )  
 Defendant. )

NO. 83L 3357

COMPLAINT AT LAW

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2. That at the aforementioned time and place and prior thereto, the Defendant, well knowing its duty in this regard, carelessly and negligently caused and permitted said Reactor to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

That at the aforesaid time and place, the Plaintiff was working as a millright, employed by Lindblad Construction Co., installing pipes in Reactor #2.

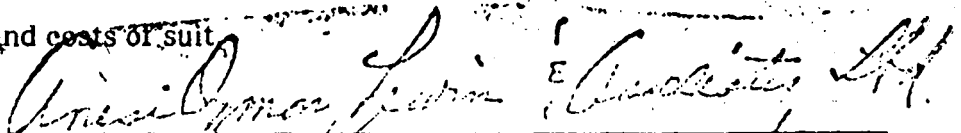
4. That the Defendant was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- (a) Permitted an excessive amount of radiation to escape and be absorbed by the Plaintiff.
- (b) Failed to provide Plaintiff with sufficient protection from excessive radiation exposure.
- (c) Failed to warn Plaintiff of the possibility of excessive radiation exposure at and before the time of this occurrence.

5. That on the aforementioned date and as a result of the aforesaid acts of the Defendant, the Plaintiff was exposed to a dangerously high dosage of radiation.

6. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to usual duties and affairs, and has lost and will in the future lose the value of that time as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff demands judgment against the Defendant, COMMONWEALTH EDISON COMPANY, a Corporation, in the sum of ONE MILLION DOLLARS (\$1,000,000.00) and costs of suit.

  
Attorneys for Plaintiff

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