



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

TIC

Docket Nos: STN 50-454
and STN 50-455

OCT 31 1979

Mr. Gerald R. Windsor
309 Kedzie
South Beloit, Illinois 61080

Dear Mr. Windsor:

Your letter of April 2, 1979 has been referred to this office for reply. You asked whether citizen participation ends with the first public hearings. At the construction permit stage of review, public hearings are required even though there is no public participation. No hearing is required at the operating license stage or review unless intervenors raise contentions that are admitted for litigation. Two groups have been admitted as intervenors in the case of the Byron application for operating licenses. Thus, there will be a hearing on contentions of those two groups.

The scheduled time for submitting petitions for leave to intervene ended on January 15, 1979. As stated in Section 2.714, "Intervention," of the Commissions Regulations, Title 10 of the Code of Federal Regulations, Part 2, "Rules of Practice for Domestic Licensing Proceedings," nontimely filings will not be entertained except if a basis is determined based on the balancing of five factors specified therein. If you do not choose to file an untimely petition, or if you file and are not admitted as an intervenor, you may request permission of the presiding officer of the Atomic Safety and Licensing Board to make a limited appearance by making oral or written statement of your position on the issues.

I am enclosing a copy of 10 CFR Part 2, a descriptive paper, "The Reactor Licensing Process," and the "Notice of Opportunity for Hearing" for the operating license stage of the Byron review. Please contact us if we can be of further assistance.

Sincerely,

Lester S. Rubenstein, Acting Chief
Light Water Reactors Branch No. 4
Division of Project Management

Enclosure:
As Stated

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