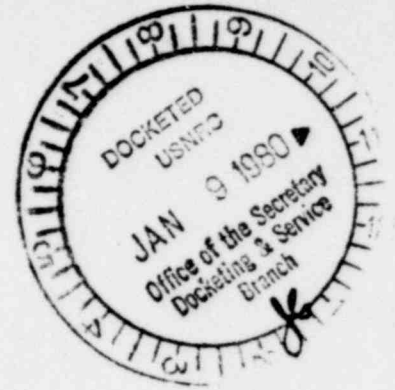


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



ATOMIC SAFETY AND LICENSING BOARD

John F. Wolf, Chairman
Dr. Linda W. Little
Dr. Forrest J. Remick

In the Matter of)
COMMONWEALTH EDISON COMPANY)
(Zion Station, Units 1 and 2))

Docket Nos. 50-295 SP
50-304 SP
Proposed Amendment to
Permit Storage Pool
Modification

MEMORANDUM AND ORDER
(January 8, 1980)

As expressed during the conference call of January 4, 1980 between members of this Board and counsel for the parties, the Board finds that the affidavits submitted by both the Applicant and the NRC Staff are responsive to the Board's Order of September 14, 1979, in this matter.

That Order required the parties in this proceeding to submit affidavits stating the extent to which type 304 stainless steel would be present in the proposed modified fuel storage pool and racks and the effects, if any, which would result from the immersion of type 304 stainless steel in the pool.

However, based on a preliminary review of the affidavits submitted, there are two issues which the Board finds are not addressed by all the parties or, if addressed, are not done so in adequate depth.

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The issues in question relate to whether or not the water in the pool would be a "stagnant, oxygenated, borated water system", as defined by the NRC Staff on page 3 of I.E. Bulletin No. 79-17, Revision 1, dated 29 October 1979; and whether the water inside the proposed vented fuel storage tubes would be a "stagnant oxygenated borated water system", and if so, what would be the effect on the fuel storage tubes and racks.

The parties will have to and including January 24, 1980 in which to submit affidavits which address the above cited issues in further detail.

THE ATOMIC SAFETY AND
LICENSING BOARD


By John F. Wolf, Chairman

Dated at Bethesda, Maryland
This 8th day of January 1980

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