

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
THE TOLEDO EDISON COMPANY)
 and)
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)
)
(Davis-Besse Nuclear Power)
Station))

Docket No. 50-346

ORDER

Applicant on 7 January 1971 by letter to the Director of Regulation requested an amendment to the exemption granted it on 10 September 1970 to perform certain additional construction work below finished grade level at the Davis-Besse site. The additional work was as follows:

- (1) Installation of the containment vessel inside the walls of the shield building up to grade level;
- (2) Placement of the concrete fill inside and outside the containment vessel bottom head and installation of embedments within the inside fill concrete.
- (3) Placement of all concrete structures within the containment vessel up to grade level.

Intervenor Living in a Finer Environment, Irwin Oster, and Charles Reany, hereafter referred to as LIFE, on 26 January 1971, moved "for an order denying Applicant an exemption from operation of statutes and regulations pertaining to nuclear power

plants or in the alternative for an adjournment of the proceedings until the grant or denial of said exemption." A legal memorandum was filed in support of the motion.

This will confirm that the Board, after having considered the motion, the legal memorandum, and arguments of counsel, orders the Director of Regulation to suspend the issuance of an amendment to the exemption sought by Applicant's letter of 7 January 1971 until after this Board has filed its initial decision in this matter.

Atomic Safety and Licensing Board

W. T. Skallerup Jr.

Walter T. Skallerup, Jr.
Chairman

5 Feb 1971

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

H Smith

In the Matter of

THE TOLEDO EDISON COMPANY, ET AL.
(Davis-Besse Nuclear Power Station)

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Docket No. 50-346

2-3-71

CERTIFICATE OF SERVICE

I hereby certify that copies of the ORDER dated February 3, 1971, with attachments, were served on the following by deposit in the United States mail, first class or air mail, this 3rd day of February 1971:

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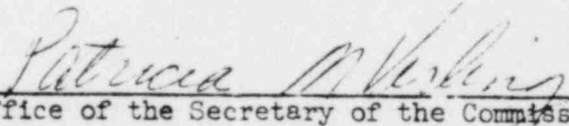
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