

April 29, 1982

Marshall E. Miller, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. A. Dixon Callihan
Administrative Judge
Union Carbide Corporation
P. O. Box Y
Oak Ridge, TN 37830

Dr. Richard F. Cole
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of
COMMONWEALTH EDISON COMPANY
(Byron Station, Units 1 and 2)
Docket Nos. 50-404 and 50-455



Dear Administrative Judges:

On page 6 of the "NRC Staff Response to Admission of DAARE/SAFE 'Revised Contentions,'" the Staff noted with respect to the timeliness of Contention 12b that DAARE/SAFE had not indicated how long it had been aware of allegations regarding the Hayward-Tyler pumps. It has come to the Staff's attention since the filing of that pleading that DAARE/SAFE expressed concern about the possibility that "defective" Hayward-Tyler pumps may be in use at Byron on pages 23-24 of its "Supplemental Response to Commonwealth Edison's Request for Additional Information/Contention Four," which it filed February 15, 1981. Thus, contrary to the Staff's statement, it is apparent that DAARE/SAFE was aware of allegations regarding the Hayward-Tyler pumps and the fact that the manufacturer's pumps are installed at Byron at least as of that date.

Sincerely,

Mitzi A. Young
Counsel for NRC Staff

cc: Service List

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