

DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'82 SEP 10 AIO:14

ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Administrative Judges:

Alan S. Rosenthal, Chairman  
Thomas S. Moore  
Dr. Reginald L. Gotchy

SERVED SEP 10 1982

In the Matter of )

COMMONWEALTH EDISON COMPANY )

(Dresden Station, Units 2 and 3) )

Docket Nos. 50-237  
50-249

(Spent Fuel Pool Modification)

ORDER

September 9, 1982

On August 17, 1982, the Licensing Board rendered its final initial decision in this proceeding involving Units 2 and 3 of the Dresden nuclear facility. LBP-82-65, 16 NRC \_\_\_\_\_. In that decision, the Board authorized the issuance of amendments to the operating licenses for the two units which would allow an increase in spent fuel pool storage capacity. <sup>1/</sup>


<sup>1/</sup> In a September 24, 1981 partial initial decision, the Board had authorized a modification of the operating license for Unit 3 to permit the installation of five high-density storage racks in that unit's spent fuel pool. LBP-81-37, 14 NRC 708. No appeals were taken from that decision and, by order of November 9, 1981, appellate review of it sua sponte was deferred to await the Licensing Board's ultimate disposition of the license amendment application.

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No exceptions have been filed to the August 17 decision. Accordingly, together with the partial initial decision rendered a year ago (see n. 1 supra), it will now receive this Board's review sua sponte. Because of the press of other business before the Board, it is uncertain when that review will be completed. For this reason, neither decision shall be treated as having achieved administrative finality pending further order of the Board.

It is so ORDERED.

FOR THE APPEAL BOARD

  
C. Jean Shoemaker  
Secretary to the  
Appeal Board