

045  
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'84 JUL -5 P1:36

IN THE MATTER OF: )

COMMONWEALTH EDISON COMPANY )

(Byron Nuclear Power Station, )  
Units 1 & 2) )

DOCKET NOS. 50-454 OL  
50-455 OL

MOTION FOR EXTENSION OF TIME

NOW COME the Dekalb Area Alliance for Responsible Energy, the Sinnissippi Alliance for the Environment, the Rockford League of Women Voters, (hereinafter "Intervenors"), by their attorneys, Pedderson, Menzimer, Conde, Stoner & Killoren, by Steven P. Zimmerman, and for their Motion for Extension of Time, state as follows:

1. Intervenors and Commonwealth Edison Company, (hereinafter "Edison"), and the Nuclear Regulatory Commission staff entered into a Stipulation in March of 1983 which removed certain issues, all relating to the Emergency Planning Contention from the April, 1983 license hearings, to be resolved in accordance within the framework of the Stipulation.

2. Paragraph 4(d) of the Stipulation provides that Edison shall notify Intervenors in writing when it believes a Commitment has been satisfied.

3. Edison gave notice in writing of its belief that Commitments were satisfied on the following dates:

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PDR ADOCK 05000454  
PDR  
e

DS83

April 16, 1984  
May 30, 1984  
June 7, 1984  
June 13, 1984

Q,R,S,T,X  
A,B,C,D,E  
M,N,P,U,V,W  
F,G,H,I,J,K,L,O,Y,Z

4. Intervenors have replied to each notification letter from Edison in accordance with paragraph 6(a), indicating on the majority of these Commitments that Intervenors are unable to determine at this time whether said Commitments have been satisfied and that Intervenors are undergoing efforts to verify same

5. Paragraph 6(a) provides that Intervenors may petition the Licensing Board for a hearing within thirty (30) days of receipt of notification by Edison of its belief that all of the Commitments set forth in the Stipulation have been satisfied.

6. Intervenors received notice on June 13, 1984, from Edison of its belief that all of the Commitments have been satisfied.

7. Intervenors have exercised due diligence throughout the period of the Stipulation in determining whether a Commitment has been satisfied and in making their independent assessment as to each Commitment, in accordance with paragraphs 4 and 6 of the Stipulation.

8. Although negotiations between Intervenors and Edison are proceeding forward at this time in regards to Edison's provision of documents to Intervenors pursuant to paragraph 4(b)(i), Intervenors' access to certain documents upon which Edison relies in its Commitments has been either limited or denied during the period of the Stipulation.

9. Despite Intervenors' exercise of due diligence, Intervenors are unable to determine whether many of the Commitments had been satisfied without an extension of time for further verification prior to the thirty (30) day cut-off date for petitioning the Licensing Board.

10. Specifically, Intervenors have taken the following action in regards to specific Commitments or groups thereof:

- Q,R. Objections to language contained in the brochures have been made; negotiations continue.
- T. Spot survey completed; results to be tabulated and sent to Edison, shortly.
- S. Will require arrangements for mobility-impaired similar to nursing home residents, as provided in Commitments M and N.
- A,B,C, All school superintendents have been contacted  
D,E and school SOPS have been reviewed.
- F,G,H, Two expert witnesses have been engaged to review  
I,J,K Time Estimate Study; said experts may require additional documentation.
- M,N,O All nursing homes have been contacted-three administrators are on vacation; Nursing Home SOPS have been reviewed.
- P. Training manuals requested have not been provided to Intervenors.
- U,V Access to IPRA has been limited until Intervenors were given their own copy on June 29, 1984.
- W. Intervenors have met with two mayors and have appointments to meet all others.

11. Edison will not be prejudiced by the extension of time requested by Intervenors, but said extension would allow Edison and Intervenors the opportunity to continue to

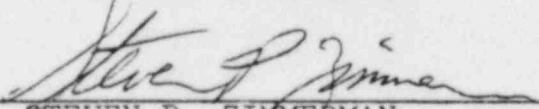
resolve certain issues during the time in which Intervenors continue their independent assessment as to other issues.

WHEREFORE, Intervenors pray that the Board grant Intervenors Motion for Extension of Time for a reasonable period to allow Intervenors additional time to determine whether the Commitments have been satisfied, pursuant to paragraph 6(a) of the Stipulation.

DEKALB AREA ALLIANCE FOR  
RESPONSIBLE ENERGY, THE  
SINNISSIPPI ALLIANCE FOR  
THE ENVIRONMENT, THE ROCKFORD  
LEAGUE OF WOMEN VOTERS; Intervenors

BY: PEDDERSON, MENZIMER, CONDE,  
STONER & KILLOREN

BY:

  
STEVEN P. ZIMMERMAN

STEVEN P. ZIMMERMAN  
Pedderston, Menzimer, Conde,  
Stoner & Killoren  
120 W. State St. - Suite 400  
Rockford, IL 61101  
(815) 987-4000

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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IN THE MATTER OF: )

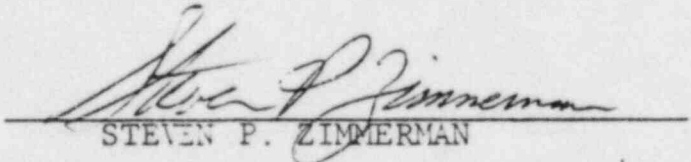
COMMONWEALTH EDISON COMPANY )

(Byron Nuclear Power Station, )  
Units 1 and 2) )

DOCKET NOS. 50-454  
50-455(OL)

ENTRY OF APPEARANCE

I hereby enter my appearance on behalf of the DeKalb Area Alliance for Responsible Energy (DAARE), the Sinnissippi Alliance for the Environment (SAFE), and the Rockford League of Women Voters, Intervenors in the above-captioned matter.

  
STEVEN P. ZIMMERMAN

STEVEN P. ZIMMERMAN  
Pedderon, Menzimer, Conde,  
Stoner & Killoren  
120 W. State St. - Suite 400  
Rockford, Illinois 61101  
(815) 987-4000

STATE OF ILLINOIS )  
                          ) SS:  
COUNTY OF WINNEBAGO)

The undersigned being first duly sworn <sup>84 JUL 5 01 37</sup> on oath deposes  
and says that she served the within Entry of Appearance and  
Motion for Extension of Time  
upon:  
BRANCH

See attached Service List

by placing a true and correct copy of said Entry of Appearance and  
Motion for Extension of Time  
in an envelope, addressed as shown above.

That she sealed said envelope and placed sufficient U.S.  
postage thereon; that she deposited said envelope so sealed  
and stamped in the United States Mail at Rockford, Illinois,  
at or about the hour of 5:00 P.M. on the 2nd day of  
July, 1984.

Joyce Brady

Subscribed and sworn to before me  
this 2nd day of July, 1984.

Glenda Blough  
NOTARY PUBLIC

SERVICE LIST

Ivan W. Smith  
Administrative Judge  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

A. Dixon Callihan  
Administrative Judge  
Atomic Safety and Licensing Board  
Union Carbide Corporation  
Oak Ridge, Tennessee

Richard Rawson  
Mitzi Young  
Office of Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Secretary  
ATTN: Chief, Docketing and Service Section  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Alan Bielawski  
Isham Lincoln & Beale  
3 First National Plaza  
Chicago, IL 60602

Jane Whicher  
BPI/109 N. Dearborn  
Chicago, IL 60602

Mr. Erie Jones  
Director  
IL. ESDA  
110 E. Adams St.  
Springfield, IL 62706

Paul Hombeck  
1300 Green St.  
Durham, N.C. 27701

Pat Morrison  
5565 Thunderidge Dr.  
Rockford, IL 61107

Diane Chavez  
326 N. Avon St.  
Rockford, IL 61103

Sheriff Jerry Brooks  
Ogle County  
P.O. Box 216  
Oregon, IL 61061

Dr. Bruce von Zellen  
Dept. of Biological Sciences  
NIU  
DeKalb, IL 60115