

135.

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November 9, 1984

Ivan W. Smith, Chairman  
Administrative Judge  
Atomic Safety and  
Licensing Board  
U.S. Nuclear Regulatory  
Commission  
4350 East West Highway  
Bethesda, Maryland 20814

Dr. A. Dixon Callihan  
Administrative Judge  
Union Carbide Corporation  
P.O. Box Y  
Oak Ridge, Tennessee 37380

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

Re: In the Matter of Commonwealth Edison Company  
(Byron Nuclear Power Station, Units 1 and 2)  
Docket Nos. 50-454 and 50-455 (6c)

Dear Administrative Judges:

On September 14, 1984, the Licensing Board granted the agreed motion of the parties extending the period, until November 1, 1984, in which Intervenors could file a petition for hearing regarding Commitment W under the March 30, 1983 Emergency Planning Stipulation. As of the date of the Board's Order, the only commitment which could be the subject of hearing was Commitment W; Intervenors had declined to request hearings with regard to all of the remaining commitments.

Earlier this week I phoned Diane Chavez to inquire whether Intervenors had filed a petition regarding Commitment W. I was informed by Miss Chavez that Intervenors had not filed such a petition and did not intend to do so. Consequently, we are notifying the Board that under the provisions of the Emergency Planning Stipulation, as amended by subsequent Board orders, the period in which Intervenors were authorized to initiate proceedings to enforce the commitments has lapsed. Thus, it will not be necessary for the Board to exercise its authority granted by the Commission in its

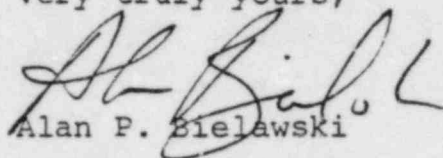
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August 22, 1983 Order to conduct further proceedings regarding  
the Emergency Planning Stipulation.

Very truly yours,

  
Alan P. Bielawski

APB:gi

cc: Service List