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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges
John H. Frye, III, Chairman
Glenn O. Bright
Richard F. Cole

In the Matter of : Docket Nos. 50-277-OLA
: 50-278-OLA
Philadelphia Electric Company :
: ASLBP No. 88-569-06-OLA
(Peach Bottom Atomic Power :
Station, Units 2 and 3) :

Request for an Extension of Time in which
to File Contentions and Supplement to Petition to
Intervene and Request for a Hearing

The Commonwealth of Pennsylvania (hereinafter "Commonwealth"), by and through its attorneys, requests that the Atomic Safety and Licensing Board (hereinafter "Board") grant a thirty (30) day extension for the Commonwealth to file its contentions and supplement to Petition to Intervene and Request for a Hearing. As indicated in more detail in paragraph 18, counsel for the Philadelphia Electric Company (hereinafter "PECO") does not object to the extension. In support of this request the Commonwealth states the following:

1. On December 23, 1987 the Nuclear Regulatory Commission (hereinafter "Commission") published a Notice of Opportunity for Hearing with respect to the Commission's proposed issuance of amendments to the licenses held by PECO for the Peach Bottom

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Atomic Power Station, Units No. 2 and No. 3 (hereinafter "Peach Bottom"). 52 F.R. 48693 (December 23, 1987).

2. The Commonwealth filed a Petition to Intervene, Request for Hearing and Comments Opposing No Significant Hazards Consideration on January 22, 1988. The Petition, inter alia, requested a hearing under 10 C.F.R. §2.714 concerning the proposed amendments to the facility operating license of PECO for Peach Bottom.

3. An important concern set forth in the Petition was the Commonwealth's belief that the top corporate management at PECO was inappropriately deflecting responsibility for the problems at Peach Bottom, and therefore, was failing to propose satisfactory changes in its corporate structure.

4. In a letter dated January 11, 1988, the Institute of Nuclear Power Operations (hereinafter "INPO") provided a Report to PECO which was highly critical of PECO's operation and management of Peach Bottom.

5. On February 8, 1988, PECO filed an Answer to the Commonwealth's Petition.

6. On February 11, 1988, the Nuclear Regulatory Commission Staff (hereinafter "NRC Staff") filed a Response to Commonwealth of Pennsylvania's Petition to Intervene and Request for Hearing. In the Response the NRC Staff concluded that "the Commission

should find that the Commonwealth has established its standing to intervene and has identified at least one aspect of the proposed amendment request in which it is interested."

7. After a special meeting of PECO's Board of Directors on February 1, 1988 to consider the INPO Report, PECO announced several changes in the highest levels of corporate management at PECO. The INPO Report and the Commonwealth's Petition were critical of the corporate management of PECO for its actions regarding Peach Bottom.

8. On March 28, 1988, the Commonwealth met with William T. Russell, NRC Administrator for Region I, and his staff to review the status of various matters involving Peach Bottom, the Commonwealth and the Commission.

9. On April 1, 1988, the Commission issued an order in response to the Commonwealth's Petition to Intervene and Request for a Hearing. The order, inter alia, referred the matter to the Chairman of the Atomic Safety and Licensing Board Panel for a Licensing Board to consider whether the Commonwealth petition to intervene should be granted in accordance with the notice and the order.

10. On April 6, 1988, an Atomic Safety and Licensing Board was established to preside over the proceeding. The Board was designated, pursuant to the Commission's Order issued on April 1, 1988, to consider the issues arising from the proposed issuance of amendment to the licenses held by PECO for Peach Bottom.

11. On April 8, 1988, John H. Frye, III, Chairman, Administrative Judge, Atomic Safety and Licensing Board Panel, issued a Memorandum and Order (Setting a Deadline for Filing of Contentions). The Memorandum and Order established a deadline of April 25, 1988 for the filing of the Commonwealth's contentions and any amendment it may wish to make to its petition.

12. In a letter dated April 6, 1988, Lando W. Zech, Jr., Chairman of the Commission responded to Governor Robert P. Casey's letter of February 4, 1988. Chairman Zech declined to establish a discretionary, formal adjudicatory proceeding to consider matters involving Peach Bottom which the Commission believes are beyond the scope of the proposed license amendment which was requested.

13. In a letter dated April 8, 1988 PECO submitted a revised Restart Plan, Section I and II. According to the letter, the Restart Plan was revised after and as a result of the corporate management changes at PECO related to the Peach Bottom situation.

14. In response to a request from the Commission, the Commonwealth has recently agreed to jointly host public meetings to receive public comments on PECO's revised restart plans for Peach Bottom. The meetings are tentatively scheduled for May 16 and 17, 1988. Public comments will be received regarding all issues raised by the revised plans and not merely issues raised by the proposed license amendments.

15. The Commonwealth requires additional time to prepare its contentions and any amendments which it may wish to make to its petition in light of the recent management changes at PECO and the submission of the revised Restart Plan. Both of these new developments have a bearing on the proposed license amendments and the Commonwealth's Petition.

16. The Board has the authority under 10 C.F.R. §2.714(b), based upon a balancing of the factors in paragraph 2.714(a)(1), to grant additional time to file contentions.

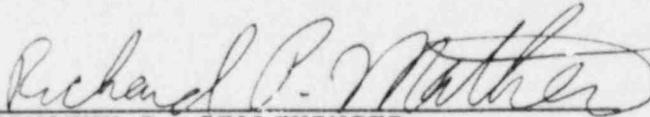
17. Pursuant to 10 C.F.R. §2.714(b), the Commonwealth avers that (1) it has good cause for the request for an extension; (2) there is no other means to protect its interest; (3) the extension is reasonably expected to assist in developing a sound record; (4) the Commonwealth's interest is not represented by any other party; and (5) the extension will allow the Commonwealth to better focus on the issues, in light of the recent developments, and should ultimately prevent delay in the proceeding.

18. Counsel for the Commonwealth and for PECO have conferred on the Commonwealth's Request, and the Commonwealth is authorized to state that PECO has no objection to the relief which the Commonwealth has requested.

In light of the foregoing the Commonwealth requests a thirty (30) day extension in which to file its contentions and

amendments to its petition, if any, from the deadline established in the Board's April 8, 1988 Order.

For The
Commonwealth of Pennsylvania
Department of Environmental Resources


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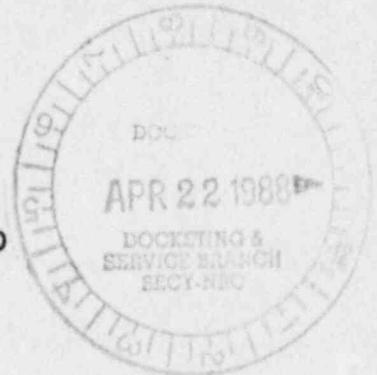
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Dated: 4-22-88

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Certificate of Service

I hereby certify that copies of the Commonwealth's "Request for an Extension of Time in which to File Contentions and Supplement to Petition to Intervene and Request for a Hearing" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, this 22nd day of April, 1988:

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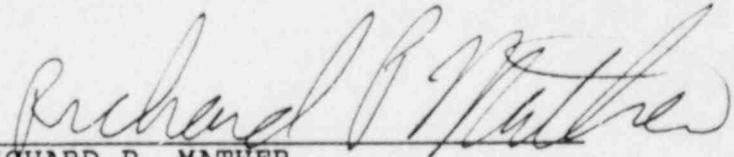
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