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October 13, 1998
DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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)
In the Matter of)
)
BALTIMORE GAS)
& ELECTRIC CO., et al.,)
)
(Calvert Cliffs Unit 1 and)
Unit 2))
_____)

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF
Docket Nos. 50-317-LR
50-318-LR
(License Renewal)
ASLBP No. 98-749-01-LR

PETITIONER'S NOTICE OF FILING

Petitioner, the National Whistleblower Center (Center), by and through counsel, hereby files its first supplemental set of contentions in the above-captioned proceeding:^{1/}

CONTENTION 1

CONTENTION 1: As a matter of law and fact, Baltimore Gas & Electric Company's (BGE) license renewal application to operate Calvert Cliffs Nuclear Power Plant (CNPP) Unit 1 and Unit 2 is incomplete and must be withdrawn and/or summarily dismissed.

^{1/}As a matter of law and controlling regulations, the Center has until fifteen days prior to the first prehearing conference to file supplemental contentions and a supplemental petition to intervene. The Center may file supplements to its Petition to Intervene without leave of the Board. 10 C.F.R. § 2.714 and 63 Federal Register 36,966 (July 8, 1998). As a matter of law, this Board must apply these binding regulations. Union Electric Co. v. FERC, 890 F.2d 1193, 1199 (D.C. Cir. 1989). The filing of these two contentions is without prejudice to the Center's right to file additional supplemental contentions on or prior to the 15th day before the first prehearing conference. Additionally, this supplemental filing is filed without prejudice to Petitioner's October 1, 1998 Motion to Vacate.

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PDR ADGCK 05000317
G PDR

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BASIS:

The Basis for this contention are set forth in each of the Requests for Additional Information filed by the NRC Staff to BGE or which will be filed by the NRC Staff. At the present time, the requests for which the Center is aware were filed with the Board as Exhibit 1 to Petitioner's October 1, 1998 Motion to Vacate and as Exhibits 1-18 of Petitioner's October 7, 1998 Notice of Filing. In addition, Petitioner's counsel had a conversation with counsel for the NRC Staff and understands that additional requests for information exist.

CONTENTION 2

CONTENTION 2:

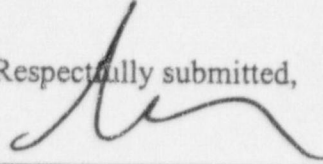
As a matter of law and fact, Baltimore Gas & Electric Company's (BGE) license renewal application to operate Calvert Cliffs Nuclear Power Plant (CNPP) Unit 1 and Unit 2 fails to meet the aging and other safety-related requirements mandated by law and/or NRC regulations and must be denied.

BASIS:

The Basis for this contention are set forth in each of the Requests for Additional Information filed by the NRC Staff to BGE or which will be filed by the NRC Staff. At the present time, the requests for which the Center is aware were filed with the Board as Exhibit 1 to Petitioner's October 1, 1998 Motion to Vacate and as Exhibits 1-18 of Petitioner's October 7, 1998

Notice of Filing. In addition, Petitioner's counsel had a conversation with counsel for the NRC Staff and understands that additional requests for information exist.

Respectfully submitted,



Stephen M. Kohn
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Attorneys for Petitioner National Whistleblower Center

October 13, 1998

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served this October 13, 1998 on the following persons by fax^{2/} and First Class mail:

- * Robert Weisman
Marian Zabler
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

- * G. Paul Bollwerk, III, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

^{2/}The National Whistleblower Center is in the process of preparing all of the prior filings into a format for electronic mailing. Once this process is complete, the Center electronically file the prior documents and all new documents.

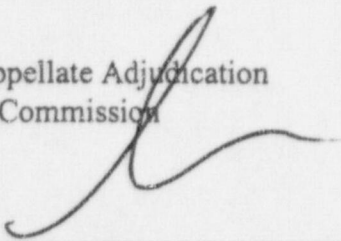
* Dr. Jerry R. Kline
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Office of the Secretary (2 copies)
Attn: Rulemakings and Adjudications Staff
U.S. NRC
Washington, D.C. 20555

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