

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD '98 JUN 17 A11:38

Before Administrative Judges:

Thomas S. Moore, Chairman  
Dr. Jerry R. Kline  
Frederick J. Shon

OFFICE OF THE  
ADMINISTRATIVE  
JUDGES

SERVED JUN 17 1998

In the Matter of

COMMONWEALTH EDISON COMPANY

(Zion Nuclear Power Station,  
Units 1 and 2)

Docket Nos. 50-295/304-LA

ASLBP No. 98-744-04-LA

June 17, 1998

Order

On May 6, 1998, the Commission published notice of the March 30, 1998, license amendment requests of the Applicant, Commonwealth Edison Company, for Zion Nuclear Power Station, Units 1 and 2. See 63 Fed. Reg. 25,101 (May 6, 1998). The amendments seek to "restore the Zion Custom Technical Specifications (CTS) that had been replaced with Improved Technical Specifications by a previous amendment" and "reinstate License Conditions that were deleted by that previous amendment." Id. at 25,105. The amendments also seek to "modify the CTS to allow the use of Certified Fuel Handlers to satisfy shift staffing requirements" and "change management titles and

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responsibilities to reflect the permanently shutdown organization." Id. The notice further states that "the NRC staff proposes to determine that the requested amendments involve no significant hazards consideration." Id. at 25,106. On June 4, 1998, Edwin D. Dienethal filed a petition to intervene in the proceeding. Thereafter, on June 11, 1998 this Licensing Board was established to preside over the proceeding.

Pursuant to its authority under 10 C.F.R. § 2.718, the Licensing Board sets forth the following directives regarding the conduct of this proceeding:

1. Answers to Petitioner's Intervention Petition

The Applicant shall file an answer to Mr. Dienethal's intervention petition by July 1, 1998. The NRC Staff's answer to the intervention petition shall be filed by July 8, 1998.

2. Notice of Appearance

The attorneys or representatives for Mr. Dienethal, the Applicant, and the NRC Staff each shall file a notice of appearance in conformity with the requirements of 10 C.F.R. § 2.713(b) by July 1, 1998. Each attorney or representative also should include in the appearance notice a facsimile number and an Internet e-mail address, if available.

### 3. Service on the Licensing Board Members

For each pleading or other submission filed before the Licensing Board or the Commission in this proceeding, in addition to submitting an original and two conforming copies to the Office of the Secretary as required by 10 C.F.R. § 2.708(d) and serving a copy on every other participant in accordance with 10 C.F.R. § 2.701(b), a participant should serve conforming copies on the members of the Licensing Board by one of the following methods:

a. Regular Mail. To complete service on the members of the Licensing Board via United States Postal Service first-class mail, a participant should send conforming copies to each of the Licensing Board members at the following address:

Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

For regular mail service, the NRC Staff may use the NRC internal mail system (Mail Stop T3 F23) in lieu of first-class mail.

b. Overnight or Hand Delivery. To complete service on the members of the Licensing Board via overnight (e.g., express mail) or hand delivery, a participant should send conforming copies to each of the Licensing Board members at the following address:

Atomic Safety and Licensing Board Panel  
Third Floor, Two White Flint North  
11545 Rockville Pike  
Rockville, MD 20852-2738

c. Facsimile Transmission. To complete service on the members of the Licensing Board by facsimile transmission, a participant should (i) send one copy by rapidfax to the attention of the members of the Licensing Board at (301) 415-5599 (verification (301) 415-7399); and (ii) that same date, send conforming copies to each of the Licensing Board members by regular mail at the address given in paragraph 3.a. above.

d. E-Mail. To complete service on the members of the Licensing Board by e-mail transmission, a participant should (i) send the filing (which should include the certificate of service) as a file (preferably in WordPerfect 5.1 or 6.1 format) attached to an e-mail message directed to each of the Licensing Board members (Internet IDs: tsm2@nrc.gov, jrk2@nrc.gov, fjs@nrc.gov; NRC Agency Upgrade of Technology for Office Systems (AUTOS) Wide Area Network (WAN) System IDs: TSM2, JRK2, FJS); (ii) for any attachments or exhibits to a pleading that cannot be transmitted by e-mail, send those documents to the Licensing Board members by separate facsimile transmission or other means that will ensure receipt by the due date; and (iii) send paper conforming copies

that same date to each of the Licensing Board members by regular mail at the address given in paragraph 3.a. above.

e. Timely Service by Hand Delivery, Facsimile Transmission, or E-Mail. To be timely, any pleading or other submission served on the Licensing Board members by hand delivery, facsimile transmission, or e-mail must be received by the Licensing Board no later than 4:30 p.m. Eastern time on the date due.

f. Service on Other Participants. If the Licensing Board directs that service of a pleading should be made on it by one or more of the methods outlined above (e.g., facsimile or e-mail with conforming paper copies to follow by mail), the participant serving the pleading should make service on all other participants and the Office of the Secretary by the same or a comparable method.

#### 4. Motions for Extension of Time

For any motion for extension of time filed with the Licensing Board in this proceeding, except upon a showing of good cause, the participant requesting the extension shall:

a. Ascertain whether and when any other participant intends to oppose or otherwise respond to the motion and apprise the Licensing Board of that information in the motion; and

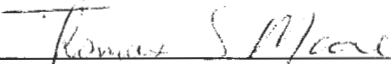
b. Serve the motion on the Licensing board so that it is in its hands at least three business days before the due date for the pleading or other submission for which an extension is sought.

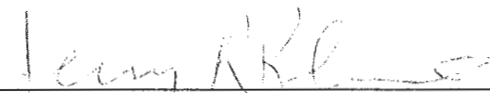
5. Exhibits/Attachments to Filings

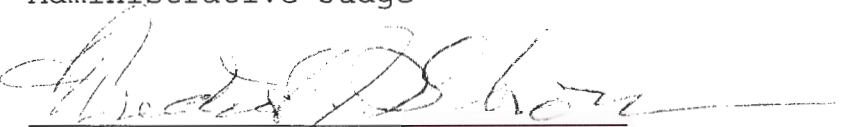
If a participant files a pleading or other submission with the Licensing Board that has additional documents appended to it as exhibits or attachments, a separate alpha or numeric designation for each appended document (e.g., Exhibit 1; Attachment A) should be given to each appended document, either on the first page of the appended document or on a cover/divider sheet in front of the appended document.

It is so ORDERED.

THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Thomas S. Moore, Chairman  
Administrative Judge

  
Dr. Jerry R. Kline  
Administrative Judge

  
Dr. Frederick J. Shon  
Administrative Judge

Rockville, Maryland  
June 17, 1998

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

COMMONWEALTH EDISON COMPANY

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Units 1 and 2)

Docket No.(s) 50-295/304-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER RE DIRECTIVES have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

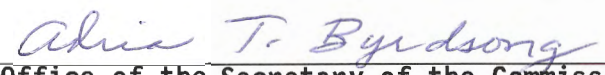
Office of Commission Appellate Adjudication U.S. Nuclear Regulatory Commission Washington, DC 20555	Administrative Judge Thomas S. Moore, Chairman Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555
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Administrative Judge Jerry R. Kline Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555	Administrative Judge Frederick J. Shon Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555
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Lawrence J. Chandler, Esq. Office of the General Counsel Mail Stop - 0-15 B18 U.S. Nuclear Regulatory Commission Washington, DC 20555	Michael I. Miller, Esq. Sidley and Austin One First National Plaza Chicago, IL 60603
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Edwin D. Dienethal  
8354 47th Court  
Kenosha, WI 53142

Dated at Rockville, Md. this  
17 day of June 1998

  
Office of the Secretary of the Commission