

ISHAM, LINCOLN & BEALE
COUNSELORS AT LAW

EDWARD S. ISHAM, 1872-1902
ROBERT T. LINCOLN, 1872-1889
WILLIAM G. BEALE, 1885-1923

THREE FIRST NATIONAL PLAZA
CHICAGO, ILLINOIS 60602
TELEPHONE 312 558-7500
TELEX 2 5288

DOCKETED
USNR
WASHINGTON OFFICE
1120 CONNECTICUT AVENUE, N.W.
SUITE 840
WASHINGTON, D.C. 20036
202 833-9730

April 11, 1983

Mr. Ivan W. Smith
Administrative Judge
& Chairman
Atomic Safety and Licensing
Board Panel
Room 428
East West/West Towers Bldg.
4350 East West Highway
Bethesda, MD 20114

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

Dr. A. Dixon Callihan
Union Carbide Corporation
P.O. Box Y
Oak Ridge, Tennessee 37830

Re: Commonwealth Edison Company (Byron Nuclear
Power Station Units 1 and 2)
Docket Nos. 50-454 OL and 50-455 OL

Gentlemen:

Pursuant to the Stipulation of the parties, I am filing the enclosed testimony of the six witnesses that Licensee intends to call at the hearings on those portions of the amended emergency planning contention that the parties have agreed to litigate, that is, paragraphs 2(c), 2(e), 2(k), 3, 8, 10, and 13. As such, the testimony addresses only the concerns raised in those paragraphs. (The remaining paragraphs of the amended emergency planning contention will be dealt with outside of the hearing process in accordance with the Stipulation.)

Licensee hereby withdraws the previously filed testimony of Messrs. John C. Golden, E. Erie Jones, David L. Smith and David D. Ed which addressed the original emergency planning contentions of DAARE/SAFE Contention 3 and League of Women Voters Contentions 19 and 108. (The original

DS03

emergency planning contentions have been withdrawn pursuant to the Stipulation of the parties.) The same four witnesses have filed new testimony which is enclosed. In addition, two new witnesses, Ms. Jean L. McCluskey and Dr. Thomas J. Horst have filed joint testimony.

Because of the expense and burden involved with duplicating the voluminous exhibits which were filed with the original testimony and now make up part of the exhibits to the new testimony, we ask your assistance in compiling the exhibits for the new testimony as follows:

1. Testimony of Ms. McCluskey and Dr. Horst. Attachment 1 to their testimony, "Evacuation Time Estimates Within the Plume Exposure Pathway Emergency Planning Zone for the Byron Nuclear Generating Station," was previously served as Exhibit 3 to the old testimony of Dr. John C. Golden.
2. New testimony of Dr. Golden. Exhibits 1 and 2, "Generic GSEP" and "Byron Station Emergency Plan Annex of GSEP" were previously served as Exhibits 1 and 2, respectively, of the old testimony of Dr. Golden. In addition, Dr. Golden has 4 new exhibits, Exhibits 3-6, which are attached to the new testimony now being served.
3. New testimony of David D. Ed. Attachments 1-5 of Mr. Ed's old testimony now constitutes Attachments 1-5 of his new testimony. Figure 1 and Maps 1-3 of his old testimony may be discarded. Mr. Ed has no new attachments.
4. New testimony of David L. Smith. Exhibit A to Mr. Smith's testimony, (his resume), is attached to the new testimony. Exhibit B, IPRA Volume 6, was served as Exhibit B to Mr. Smith's old testimony. Exhibits C and D are new and attached to the enclosed testimony.
5. New testimony of E. Erie Jones. Exhibit 1, Mr. Jones' resume, is attached to the new testimony. Exhibit 2, IPRA Volume 1, was served as Exhibit 2 to Mr. Jones' old testimony.

Administrative Judges
April 11, 1983
Page 3

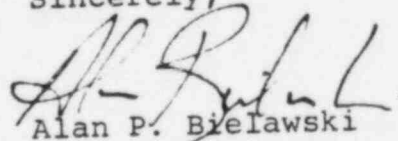
At the time these individuals are called to the witness stand, we will provide the court reporter with a complete copy of all the testimony with exhibits.

We intend to present the witnesses at the hearing in the order set forth in the proceeding paragraph. However, there are two possible conflicts which we would like to bring to the attention of the Board. Dr. Golden will not be available on April 20 because of his involvement in a court proceeding involving personal matters. Also, Mr. Jones has numerous responsibilities as Director of the Illinois Emergency Services Disaster Agency and will only be available on April 21. We request that Applicant be permitted to present the witnesses in an order that will accommodate their schedules.

The enclosed testimony is being served by mail on all parties on the service list. In addition, I will hand deliver copies to the Board and the parties at the hearings in Rockford, Illinois on April 12, 1983.

Please be informed that the prior notice concerning the copies of IPRA Volume 1 (Jones Exhibit 2) and IPRA Volume 6 (Smith Exhibit 2) are still in effect, i.e. these copies are provided only as an accommodation for review in litigation and are not to be copied in any form nor disseminated further. We request that the copies provided be returned at the conclusion of the litigation.

Sincerely,



Alan P. Bielawski
One of the Attorneys for
Commonwealth Edison Company

APB:mbn

cc: Service List
E. Erie Jones
David L. Smith
David D. Ed
Jean L. McCluskey
Thomas J. Horst