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April 25, 1984

FEDERAL EXPRESS

Richard J. Rawson  
Office of General Counsel  
United States Nuclear  
Regulatory Commission  
7735 Old Georgetown Road  
Room #10718  
Bethesda, MD 20014

Re: Commonwealth Edison Company (Byron Units  
1 & 2) Docket Nos. 50-454, 50-455

Dear Rich:

As we discussed today, I have executed the affidavit of non-disclosure, and am sending the original of my affidavit to you, with copies to the Appeal Board and service list.

Very truly yours,

Jane M. Whicher

JMW/amh  
Enclosure  
cc: Service List

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AFFIDAVIT OF NON-DISCLOSURE

I, Jane M. Whichey, being duly sworn, state:

1. As used in this Affidavit of Non-Disclosure,

(a) "Protected information" is (1) information submitted by the NRC Staff in camera to the Atomic Safety and Licensing Appeal Board in the Byron Operating License proceeding, and any other related information, such as transcript of in camera proceedings, specifically designated by the Appeal Board; or (2) any information obtained by virtue of these proceedings which is not otherwise a matter of public record and which deals with or describes details of such in camera information.

(b) An "authorized person" is (1) an employee of the Nuclear Regulatory Commission or (2) a person who has executed a copy of this Affidavit.

2. I shall not disclose protected information to anyone except an authorized person, unless that information has previously been disclosed in the public record of this proceeding or is otherwise known to me independent of the protected information disclosed to me pursuant to this protective order. Before disclosing protected information even to an authorized person, I shall inform such person that the information to be disclosed is subject to a protective order of the Appeal Board. I will safeguard all protected information, whether in written form or otherwise (e.g., as stored in a word processing unit) so that it remains at all times under the control of an authorized person and is not disclosed to anyone.

3. I will not reproduce any protected information by any means without the Appeal Board's express approval or direction. So long as I possess protected information, I shall continue to take these precautions until further order of the Appeal Board.

4. I shall similarly safeguard and hold in confidence any data, notes, or copies of protected information and all other papers which contain any protected information by means of the following:

(a) I will keep and safeguard all such material in a locked facility which I control.

(b) Any secretarial work performed at my request or under my supervision will be performed by one secretary of my designation under my control to restrict disclosure of protected information to the designated secretary above.

(c) All mailings by me involving protected information shall be made by me directly or by my designated secretary to the United States Postal Service or other delivery service or by personal delivery.

5. If I prepare papers containing protected information in order to participate in this proceeding, I will assure that any secretary or other individual who must receive protected information in order to help me prepare those papers has executed an Affidavit of Non-Disclosure and has agreed to abide by its terms. Copies of any such affidavit will be filed with the Appeal Board.

6. I shall use protected information only for the purpose of preparation for this proceeding or any further proceedings in

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this case and for no other purpose.

7. I shall keep a record of all protected information in my possession, including any copies of that information made by or for me. At the conclusion of this proceeding, I shall account to the Appeal Board or to counsel for the NRC staff for all the papers or other materials containing protected information in my possession and deliver them as provided herein. When I have finished using the protected information they contain, but in no event later than the conclusion of this proceeding, I shall deliver those papers and materials to the Appeal Board or to counsel for the NRC Staff, together with all notes and data which contain protected information, for safe-keeping until further order of the Board. Where notes or other data containing protected information are delivered for safekeeping, they shall remain the property of the person or party submitting or delivering them.

8. I make this agreement with the understanding that I will not corroborate the accuracy or inaccuracy of information obtained outside this proceeding by using protected information obtained in this proceeding.

John M. Winchester

Subscribed and sworn to before me

this 24<sup>th</sup> day of April, 1984

Joe Gomeny  
Notary Public

My Commission Expires June 17, 1987

My Commission Expires: