

May 9, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

In the Matter of)
COMMONWEALTH EDISON COMPANY)
(Braidwood Nuclear Power)
Station, Units 1 and 2))

'85 MAY 13 P2:53
Dockets Nos. 50-456 /oc
50-457 /oc
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INTERVENORS' MOTION TO EXTEND DATE
FOR FILING AMENDED CONTENTION

Intervenors Bridget Little Rorem, et al., by their under-
signed counsel, move to extend the May 20, 1985 date for filing
their amended QA/QC contention, set forth in the Board's April 17,
1985 Order, by three weeks to June 10, 1985. The grounds of
this motion are as follows:

1. Intervenors intend diligently and expeditiously to
comply with the requirements set forth in the April 17 Order
for filing an amended QA contention. In particular, we intend
to depose Mr. Keppler, to depose a panel of his staff, to
extensively review relevant documents, and thereafter to submit
a specifically itemized, documented contention demonstrating a
widespread pattern of QA deficiencies at Braidwood.

2. To assist in accomplishing this work, intervenors'
counsel have employed an additional attorney with extensive

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experience in litigating QA matters before NRC licensing boards. His employment will begin May 13, 1985, after which he will devote substantially full time to work on the Braidwood QA contention, for as long as needed. Other BPI attorneys experienced in QA matters, including the undersigned, will work closely with him.

3. Because counsel did not anticipate the intensive pre-May 20 schedule set forth in the Board's April 17 Order, and counsel was already substantially occupied in other pending proceedings relating to Braidwood, we were unable immediately to devote all the time necessary to meet the stringent requirements of the April 17 Order. However, we are now fully prepared to do so. We anticipate that during the period of approximately 28 days between May 13 and June 10, 1985, we can prepare and submit a QA contention sufficient to meet the standards of the April 17 Order.

4. We further expect that a relatively slight, three-week extension of time now will result in a more efficient and expeditious litigation by all parties after the contention is submitted. In other words, we believe the additional time now will be well spent and can be substantially made up later on.

5. We understand that the pendency of motions for reconsideration by both Edison and the NRC staff in no way stays the Board's April 17 Order. On the other hand, given our limited resources, as a practical matter the uncertainty has made it more difficult for us to immediately reallocate resources from other matters to the major effort needed to meet the requirements of the April 17 Order. Nonetheless, we have made progress and are now prepared to begin an intensive effort May 13, and we today asked the NRC staff to set a date for Mr. Keppler's deposition.

6. We have inquired of counsel for Edison whether Applicant objects to this motion. As of this writing, no response has been received.

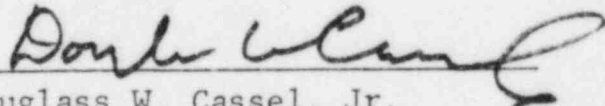
7. We have also inquired of counsel for the NRC staff whether it objects. It does. Counsel for NRC staff advises us that Mr. Keppler will be unavailable for deposition until May 20 but that he is available for deposition on that date and that Staff will agree only to an 11-day extension of the May 20 filing date to May 31. While we would of course make our best effort to meet that schedule if the Board requires, we are not certain that we can even minimally meet the April 17 Order's requirements by May 31.

Moreover, we are certain that we can far more professionally meet the Board's requirements if our requested extension to June 10 is granted. We are not proposing June 10 as a "bargaining chip"; June 10 represents our best estimate of the earliest date by which we can file a contention in full compliance with the April 17 Order and in accord with the high professional standards this Board both requires and deserves.

8. As the Board recognizes, there is a great public interest in a careful consideration of the history of serious QA questions at Braidwood. Granting intervenors adequate time to comply with the stringent requirements of the April 17 Order will promote that public interest.

DATE: May 9, 1985

Respectfully submitted,



Douglass W. Cassel, Jr.
One of the Attorneys for
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CERTIFICATE OF SERVICE

I hereby certify that I have served copies of Intervenor's Motion To Extend Date For Filing Amended Contention on each party listed on the attached Service List, by placing copies of said Motion in envelopes, properly addressed and postaged (first class) and deposited in the U.S. mail at 109 North Dearborn, Chicago, Illinois, this 9th day of May, 1985; except that Judges Brennan, Callihan and Cole, and Ms. Chan were served via Federal Express overnight delivery, and Mr. Gallo was served personally at the Chicago offices of Isham, Lincoln and Beale, all on May 9, 1985.

Douglas C. Long

BRAIDWOOD SERVICE LIST

50-456/50-457 OL

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