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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

Before Administrative Judges:

Herbert Grossman, Chairman
Dr. A. Dixon Callihan
Dr. Richard F. Cole

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In the Matter of

COMMONWEALTH EDISON COMPANY

(Braidwood Nuclear Power Station,
Units 1 and 2)

SERVED AUG 13 1985

Docket Nos. 50-456 *OL*
50-457 *OL*

August 12, 1985

ORDER APPROVING SETTLEMENT OF NEINER FARMS
CONTENTION 4 (RAILROAD EXPLOSION)

The NRC Staff, by its motion of August 9, 1985, filed on behalf of itself, Commonwealth Edison and Neiner Farms, advises that the parties have settled Neiner Farms Contention 4, subject to Board approval of an agreed-upon operating license condition. This contention involves the alleged hazard to the Braidwood plant of an explosion of a railroad train transporting munitions from the Joliet Army Ammunition Plant.

The Board, including consultation with Judge Brenner, hereby approves the settlement of Neiner Farms Contention 4 and the jointly proposed operating license condition, which states:

Licensee will use its best efforts, at least annually, to determine whether any explosives other

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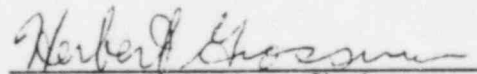
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than flake TNT will be produced at the Joliet Army Ammunition Plant and shipped by rail over the rail line which passes near the Braidwood Station. Licensee will notify the NRC Staff and Neiner Farms, Inc. of the information learned in these inquiries.

The Board once again (see August 1, 1985 Prehearing Conference Order (unpublished), at 7-8) commends the parties for their diligence in reaching agreements through negotiations.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD


Herbert Grossman, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
August 12, 1985