

August 19, 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 AUG 20 P2:33

Docket Nos. 50-456 06
50-457 06

NRC STAFF RESPONSE TO INTERVENORS' MOTION FOR
CONFIDENTIAL TREATMENT OF ELEVEN QC INSPECTOR NAMES

On August 2, 1985, Applicant, Commonwealth Edison Company filed interrogatories directed to Rorem which sought inter alia the identities of QC inspectors and instances of harassment by Comstock management known to Intervenor. On the same day Intervenor Bridget Little Rorem, et al. ("Rorem") filed "Intervenor's Motion for Confidential Treatment of Eleven QC Inspector Names" ("Motion").

In their Motion Rorem expressed their intention to seek a protective order from the Board with respect to the interrogatories requesting the identifying information. Rorem requested that "pending filing and resolution of such motion" (Motion at 4) that the Board provide interim treatment of confidentiality.

On August 12, 1984, Applicant filed a response to Rorem's Motion. "Commonwealth Edison Company's Response to Intervenor's Motion for Confidential Treatment of Eleven QC Inspector Names" ("Applicant's Response"). Therein, Applicant stated its view that it would address the propriety of a protective order in a response to the anticipated

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filing by Rorem of a motion for a protective order. Applicant's Response at 2. Applicant further stated its understanding that Rorem would be required to demonstrate in such motion the exceptional circumstances necessary to justify a protective order. Id. Based on these understandings and the assumption that Rorem's motion for a protective order is timely filed, Applicant did not object to the Board treating the identity of the eleven QC inspectors as confidential. Id.

In a conference among the parties on August 14, 1985, the matter of the confidential treatment of QC inspector names was discussed. At that time, the Staff indicated its view that it agreed with the Applicant that the propriety of a protective order should be addressed in response to the filing by Rorem of a motion for a protective order. Rorem agreed to move for a protective order. In the interim, the Staff does not object to the Board treating the identities of the eleven QC inspectors as confidential.

Respectfully submitted,



Elaine I. Chan
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 19th day of August, 1985

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket Nos. 50-456
50-457

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO INTERVENORS' MOTION FOR CONFIDENTIAL TREATMENT OF ELEVEN QC INSPECTOR NAMES" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by (*) through deposit in the Nuclear Regulatory Commission's internal mail system, this 19th day of August, 1985:

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