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UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the Matter PACIFIC GAS AND ELECTRIC COMPANY (Diablo Canyon Nuclear Power Plant)	Docket No. 50-323

PETITION FOR INTERVENTION

Scenic Shoreline Preservation Conference, Inc., herein referred to as the Conference, and Frederick Eissler, herein referred to as Eissler, hereby petition the Commission for leave to intervene in the above referenced matter.

A. The interest of the petitioners is as follows:

1. The Conference is a conservation organization concerned with the proper protection and utilization of the coastlines and associated ecological resources so as to protect the health, safety and welfare of citizens. Among the members of the conference are residents of San Luis Obispo County, site of the proposed plant.

2. Frederick Eissler is a resident of Santa Barbara County, and lives downwind from the proposed plant. He is concerned about the potential effects of the plant on the health and safety of himself, his family and his community, as well as the potential effects of the plant on the ecology and marine resources of the central California coastline.

3. The petitioners have a continuing and long-standing interest in the Diablo proposals as legal participants in the hearings of the Public Utilities Commission, State of California, on both Application No. 49051 (Diablo No. 1) and Application 50028, and as interveners in the Atomic Energy Commission hearing, Docket No. 50-275 (Diablo No. 1).

B. The granting of the Construction Permit by the Atomic Energy Commission would affect the petitioners interests by permitting the creation of a real and potential source of radioactive contamination which could render wide areas of land and ocean unfit for habitation or cultivation and could have a severe adverse effect on ecological resources. Further, the proposed construction would create undue risk to the psychological and physical well-being of the public residing or visiting near or down wind of the proposed plant, including members of the Conference and petitioner Eissler and his family. Failure by the Atomic Energy Commission to grant this Petition to Intervene would deny the petitioners their constitutional right to petition their government for redress of grievances since they have no other plain, speedy, or adequate remedy in the course of law.

C. The petitioners contend that the maximum inventory

of radioactive fission products in a nuclear power plant of this magnitude would create real and potential hazards to people, wildlife and property over a wide radius; that the permissible levels of radioactive wastes released during normal operations of the nuclear power plant would create real and potential hazards to people, wildlife, and property over wide areas; that the psychological aspects of the presence of real and potential hazards associated with radioactive contamination would cause the public to deny themselves access to and enjoyment of property, recreation values and scenic beauty in areas and communities near the proposed reactor; that the storage, transportation and disposal of the radioactive wastes from the nuclear power plant present a real and potential hazard to the health, safety and welfare of citizens and the ecology; that the geomorphological process of the coastal plain and the techtonic character of the site would increase the hazards associated with the installation; that meteorological and climatological conditions at the site and along the coastal region would cause transport of real and potential pollution to a wide geographic area; and that thermal pollution and other forms of waste discharged from the plant would create broadscale ecological dangers.

Additional contentions of petitioners are not yet

definite inasmuch as they have not yet heard applicant's case. Only by hearing applicant's case, subject to cross-examination, will petitioners be able to dispel questions which they have as to whether the risks to the public are offset by benefits to the public. Further, depending on the nature of the testimony elicited by applicant, petitioners may wish to present rebuttal testimony. In state proceedings, the petitioners were not permitted to inquire into radiation safety aspects on the grounds that this was in the exclusive jurisdiction of this Commission. Therefore, presently, they have incomplete information concerning some aspect of applicants proposed plant, thus cannot state some contentions with particularity.

Dated: November 26, 1969

SCENIC SHORELINE PRESERVATION CONFERENCE, INC.

By Frederick Eissler
Frederick Eissler
President

Frederick Eissler
Frederick Eissler