

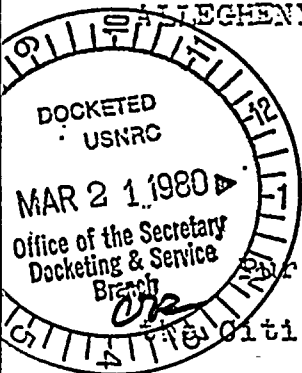
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

PENNSYLVANIA POWER AND LIGHT CO.  
ALLEGHENY ELECTRIC COOPERATIVE, INC.

3/12/80  
Docket Nos. 50-387/388  
Susquehanna Units 1 & 2

CITIZENS AGAINST NUCLEAR DANGERS  
RESPONSE TO THE LICENSING BOARD'S  
PREHEARING CONFERENCE MEMORANDUM AND ORDER



Pursuant to the Licensing Board's Order dated February 22, 1980,

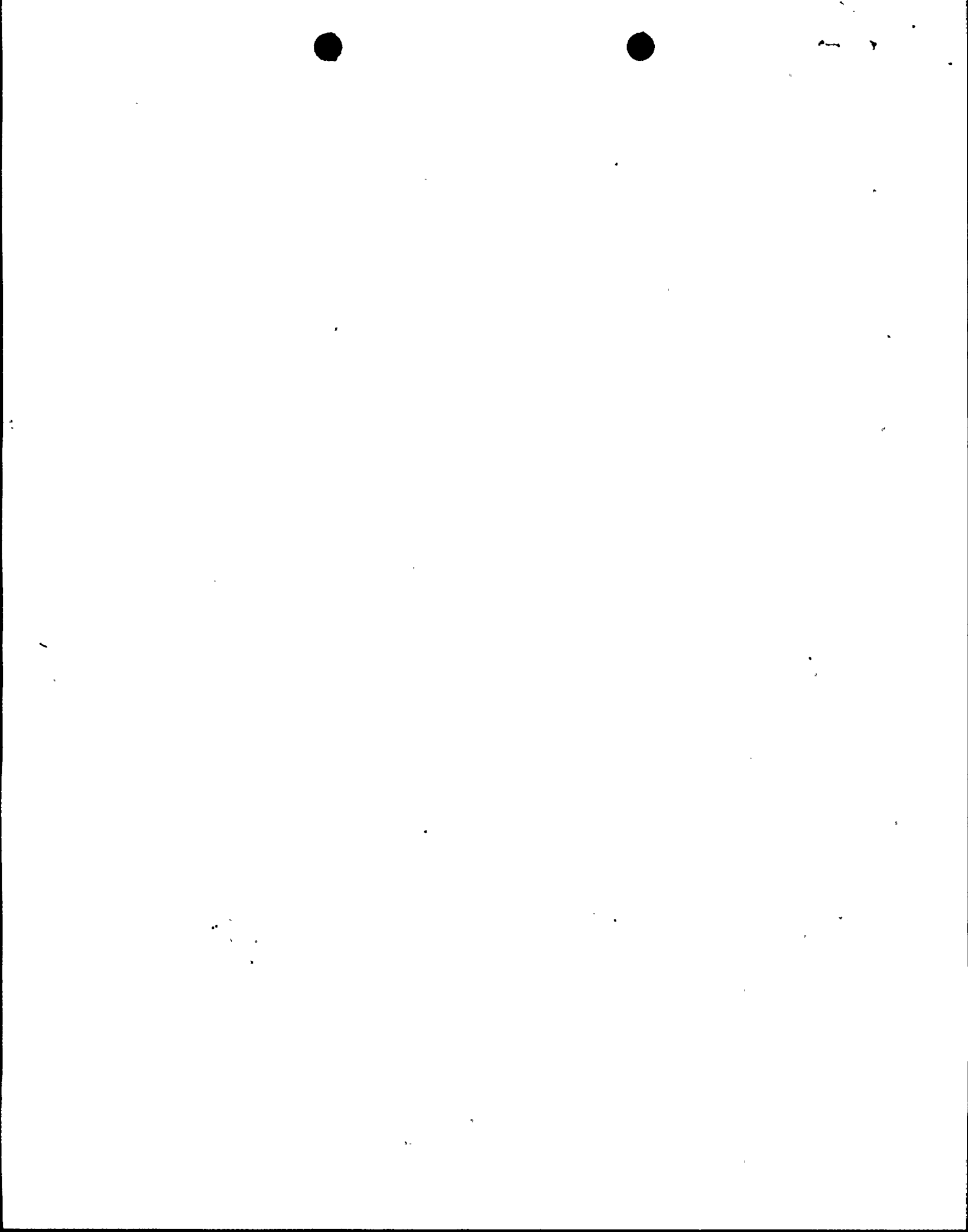
Citizens Against Nuclear Dangers (Citizens) hereby advise the Licensing Board and all the parties that the several specific matters listed herein should be raised at the Prehearing Conference on March 20, 1980.

It is the opinion of the Citizens that the agenda prepared by the Licensing Board is too restrictive, biased, and it jeopardizes due process. The Citizens strenuously object to this published format!

With all the intervener objections on file, to state that the main issue to be debated is the alleged so-called default by the interveners, well...this has to be the height of bureaucratic arrogance.

The question should be, first and foremost, why has the government, more specifically, the officials at the Nuclear Regulatory Commission, and the Pennsylvania Department of Environmental Resources, either by overt and covert actions or inactions, subverted the public hearing process in this licensing case by denying public access and public disclosure of government records to the interveners?

The Citizens also contend that the quotation in the Memorandum of February 26, 1980, constitutes an unfair basis for debate, because it is ambiguous and somewhat theoretical. Perhaps the saddest commentary can be found in the quotation's footnote. The three NRC



appeal rulings cited therein are dated 1974 and 1975. That is four and five years before the accident at TMI (which is still happening) when the Atomic Energy Commission and the NRC were rubber stamping all applicant licenses.

Apparently, the powers-that-be in Bethesda remain unreconstructed to this day. The lesson learned from TMI by the Administration in Washington seems to be merely to order the NRC wagon train placed in a circle and wait for the environmentalists to charge. If this is also the strategy of the Licensing Board at Wilkes-Barre on March 20th, then we can only predict a further decline in the NRC's credibility (if that is possible) and a further erosion of civil liberties in America!

The Citizens are compelled to request that the following specific matters be considered at the Prehearing Conference, in this order:

1. A discussion of the advisability of an on-site inspection of the Berwick reactors by a team of government inspectors from the Congressional General Accounting Office, in light of past disclosures of construction irregularities. Also, because of the peculiar timing of the forthcoming meeting between the NRC "Caseload Forecast Panel" of experts and the FP&L staff at the Berwick site to discuss the current state of the construction timetable, which is falling hopelessly behind. The NRC panel visitation was routinely scheduled for February 21 & 22, 1980. But, then suddenly rescheduled for March 20 & 21, 1980, the same date as the Prehearing Conference.

The Citizens would certainly hope that the Licensing Board is not trying to railroad the interveners out of the Berwick proceedings on the very same day that the NRC inspectors could be uncovering major safety related problems at the Berwick atomic plant, which in turn would definitely be relevant to our contentions.



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This serious development will require a candid explanation and disclaimer, on the record, by the Licensing Board...to clear the air.

The NRC Forecast Panel will inspect and evaluate numerous deficiencies and construction delay causes at Berwick according to recent published NRC releases, including current and anticipated critical problem areas, such as:

- a) Integrity of the Advanced Control Room
- b) Status of damaged electrical cables
- c) Several other major unresolved safety issues

The interveners want the results of these NRC inspection reports in order to respond to certain specific interrogatories!

2.A. hearing of the interveners grievances pertaining to the "lack of cooperation" in obtaining the complete set of documents and transcript in the NRC docket on Berwick, and the detrimental impact this has had on the interveners ability to furnish discovery replies.

3. A hearing of the grievances of the interveners pertaining to the unfair and unreasonable refusal of the NRC staff, the Applicants and the Pa. DER to furnish relevant additional documentation to the interveners.

4. A discussion of the detrimental effects caused by the restrictive and punitive orders denying the motions of the interveners for protective orders, etc.

5. A discussion concerning the reconsideration of contentions previously denied, as well as, the advisability of reopening the record for consideration of new health and safety contentions in the aftermath of TMI lessons learned; to be submitted both by the present four intervener groups and/or other public interest parties.

6. A discussion of the items in the Licensing Board's Order of February 22, 1980.

It will be necessary for the Licensing Board to convene a second day of hearings on March 21st in order to comply with the above requests and allow all parties adequate time to participate.

Dated: March 12, 1980

Thomas H. Halligan  
Correspondent  
Citizens Against Nuclear Dangers

cc: U.S. Senator Richard Schweiker  
U.S. Senator John Heinz  
Comptroller General of the U.S.A.

CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers Response To The Licensing Board's Prehearing Conference Memorandum And Order, have been served on the following by deposit in the United States mail, first class, this 12th day of March, 1980.

SERVICE LIST

Mr. Charles Bechhoefer, Esq.  
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Atomic Safety/Licensing Board  
and Appeal Board  
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Dated: March 12, 1980

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