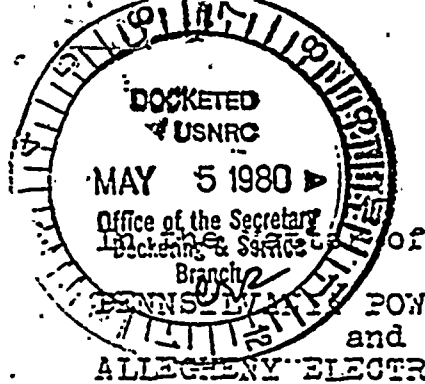


April 30, 1980

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

(Berwick Atomic Power Plant)
(Susquehanna Units 1 and 2)

CITIZENS AGAINST NUCLEAR DANGERS
COUNCIL ON ENVIRONMENTAL QUALITY MOTION ET AL.
AND REPLIES TO APPLICANTS INTERROGATORIES

Whereas, the Nuclear Regulatory Commission has always avoided openly discussing the consequences of a serious accident at Atomic Safety and Licensing Board proceedings;

Whereas, on or about March 20, 1980, the President's Council on Environmental Quality (CEQ) has, after conducting an extensive study, proposed to the NRC that environmental impact statements for atomic reactors discuss the possibility of all kinds of accidents that might cause large amounts of radiation to be released;

Whereas, the past failure to analyze the full range of possible accidents undermines the basic purposes of the National Environmental Policy Act to inform the public and other agencies fully of the potential consequences of Federal actions.

Whereas, the President's Council on Environmental Quality also informed the NRC that in the 149 environmental impact statements that have been examined by the CEQ, discussion of accidents were found to be largely perfunctory, remarkably standardized and uninformative to the public.

Whereas, the Chairman of the NRC has stated that the NRC staff recently recommended abandoning the policy of not fully discussing the effects of serious accidents at reactors and that the CEQ's recommendation would be given prompt consideration.

Therefore, the Citizens Against Nuclear Dangers move the Atomic Safety and Licensing Board, irrespective of the now superseded "Memorandum and Order Concerning Class 9 Accident Contention, dated October 19, 1979, to act on the CEQ's conclusive recommendations, issued from the highest level of government, and direct the Applicants to comply by promptly amending the Draft Environmental Statement, in the form of a supplemental publication that openly and fully discusses the consequences of serious accidents, especially as pertaining to the several contentions (including Nos. 2, 16, and 17) that form the basis for these on-going proceedings.

The Licensing Board has the authority and moral obligation to so order the Applicants to comply in the public interest. Should the Applicants fail to comply, they would be inviting a Federal law suit.

As an amendment to the separate motion filed April 29, 1980 (page 9) to transfer Contention No. 17 - UHV Transmission Lines - to the category of public health and safety, the Citizens inadvertently omitted the following factual information. One of the Applicants, the Allegheny Electric Cooperative, has previously circumvented the federal environmental laws by slipping through a "mini" impact statement dealing exclusively with a large section (about 40 miles) of the UHV transmission lines from Berwick, seeking approval through the obscure Rural Electrification Administration. This maneuver, in effect, denies the interveners, local governments, and the general public of the opportunity of studying and commenting on the overall impacts in conjunction with the other 80 miles of UHV lines. This is known as piecemealing. It is clearly illegal according to Federal Court rulings.

In a correspondence to the NRC on August 18, 1979, the Citizens, commenting on the Berwick DIS, objected to the apparent piecemealing of the Pond Hill Flow Augmentation Reservoir impact study. Subsequently, there has been published a draft supplement on the reservoir to the Berwick DIS, correcting the defect in procedure. The Citizens hereby move the Licensing Board to order Allegheny Electric to resubmit that part of the UHV line impact study prepared separately, (without the knowledge of the interveners) as a draft supplement to the Berwick DIS, in order to be in full compliance with NEPA. The Licensing Board should keep in mind that it is doubtful that Allegheny conducted any meaningful hearings on the UHV lines. If any perfunctory environmental review was held it must have been a well kept secret and conducted far away and long ago. Such piecemealing techniques have all the trappings of a floating crap game! The Citizens strongly urge the Licensing Board to rectify this inequity without delay.

Applicants Interrogatory No. 19

The Citizens' answer to this multi-part question is substantially the same as the answer given to NRC General Interrogatory No. 1, filed April 29, 1980 (pages 1 and 2).

As for the Applicants Interrogatories on Contentions Nos. 2, 16 & 17, the Citizens have a few problems in attempting to answer them. Most importantly, there was no attempt on the part of the Applicants to correlate the general interrogatories with the itemized questions on each Contention. If the individual members of the Licensing Board will read (and probably for the first time) these so-called "general" questions--with footnotes--in relationship with any single specific question they should conclude, as English professors who were

consulted have, that the overall interrogatories are unintelligible!

Therefore, the Citizens in order to make every attempt to comply with the Applicants discovery requests, will agree to, practically, the same offer made to the NRC in reply to their General Interrogatory No. 2 (filed April 29, 1980 - page 2), with the following addition.

The Citizens, upon written request by the Applicants will, within the next 30 days, send a delegation and bring with them a multitude of papers, reports, charts, news releases, etc. pertaining to Contentions Nos. 2, 16 and 17 that the Citizens have assembled for research and other use on these subjects. The Citizens agree to meet on a mutually convenient day at the northeast region headquarters of PP&L at 600 Larch Street, Scranton, Pa., so that these papers may be inspected and photocopied by the Applicants. In addition, the Citizens would like to come face to face with the "author" of these unintelligible interrogatories. Let them rephrase their questions in an intelligent way and the Citizens will factually report what information they have obtained--provided it is recorded and transcribed verbatim and the transcripts submitted promptly to the Licensing Board and all parties to the intervention.

The Citizens believe that this unprecedented good faith offer goes far beyond the strict requirements of discovery, in that the Citizens will be virtually preparing the Applicants case for them.

Dated: April 30, 1980

Thomas J. Halligan
Correspondent

CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers
Council On Environmental Quality Motion Et Al. And Replies To
Applicants Interrogatories have been served on the following by
deposit in the United States mail, first class, this 30th day of April, 1980

SERVICE LIST

Mr. Charles Bechhoefer, Esq.
Mr. Glenn O. Bright
Dr. Oscar H. Paris
Mr. James M. Cutchin, Esq.
Atomic Safety & Licensing Board
NRS Sec. Docketing & Service Sec.
Atomic Safety & Licensing Appeal Bd.

Dr. Judith H. Johnsrud
Mrs. Colleen Marsh
Mr. Gerald Schultz, Esq.
Mr. Thomas M. Gorusky
Mr. Jay Silberg, Esq.

April 30, 1980

Thomas J. Halligan

