

December 4, 1980

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In The Matter Of

PENNSYLVANIA POWER & LIGHT CO.

(Berwick Atomic Power Plant)

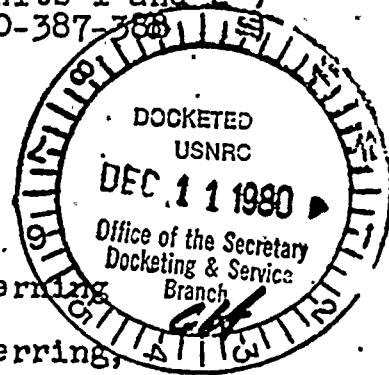
and

(Susquehanna Units 1 and 2)

ALLEGHENY ELECTRIC COOPERATIVE, INC.

(Docket Nos. 50-387-368)

CITIZENS AGAINST NUCLEAR DANGERS
MOTION AND CLARIFICATION
CONCERNING CONTENTION 16



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The Applicants' summary disposition rationale concerning

Contentions 2, 16, and 17, is nothing more than a red herring, and certainly not the "absence of any genuine issue of fact."

The Citizens Against Nuclear Dangers (Citizens) suspect that the real motive behind the Applicants motions for summary disposition is not even one of corporate concern for expediting the proceedings, but rather, one based primarily on financial self-interest. The PP&L is presently defending itself in a protracted rate case investigation before the Pennsylvania Public Utility Commission (PP&L's Tariff Supplement No. 73 To Electric Pa. PUC No. 198; R-80031114) wherein the PP&L is seeking to jack-up the rates charged consumers by a staggering sum of 123 million dollars annually.

Declining sales of electricity in their service area, and the ever increasing construction costs at Berwick, are of great concern to the banks and brokerage houses holding the PP&L bonds. The PP&L must attempt to show the PUC, and Wall Street, that the Berwick Nuke will be operational and producing revenues by mid-1983, or mid-1984, ...or whenever. Thus, the Applicants' attempt to seek shortcuts in the Licensing case. The Licensing Board cannot, however, be persuaded in their deliberations by a tariff case before the PUC, nor the fluctuations of the bond market.

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It was precisely because Met-Ed successfully manipulated some NRC license shortcuts (to obtain a windfall tax advantage) in previous NRC licensing hearings, before all safety issues were resolved, which in turn precipitated the events of March 28, 1978, that caused the ongoing accident which still threatens the health and safety of hundreds of thousands of Pennsylvanians, and as a result, Met-Ed is now faced with the real probability of bankruptcy brought about indirectly by that licensing fiasco. Hopefully, this Licensing Board will not fall into the same pit and recreate a similar fiasco at Berwick..

The Licensing Board should not be pressured by the Applicants' pseudo-pleadings, nor the NRC staff's parroting jargon, into compromising the health and safety of hundreds of thousands of people in the vicinity of Berwick for the sake of appeasing the PUC or any monied interest. The Licensing Board must make a firm resolve to insure that every major step of the licensing process be fully complied with, in the proper sequence and time frame, to be certain that no repetition of the TMI fiasco ever occurs. The NRC must also make every effort to guarantee no more TMI-type near holocausts... never again! Therefore, the Citizens Against Nuclear Dangers move the Licensing Board to deny the Applicants' summary disposition motion of October 27, 1980, concerning Contention 16.

Specifically addressing the issue of the cooling towers' discharge and contamination, the Citizens wish to point out that an apparent misunderstanding may have developed among some parties over this contention. The intention was, and is, to show in direct testimony the following: (1) That massive cooling tower plumes of steam create severe and almost constant adverse local weather conditions including precipitation that in turn will cause the

so-called routine radiation releases vented from the reactor to be carried into these plume storms and then directly back to the land surface in hot spots contaminating nearby vegetation in farm areas, with higher than permissible levels of radiation thereby endangering the food supply--most notably cattle feed and dairy products.

(2) In the event of the type of plumbing accident, such as occurred at Indian Point Unit 2 in October, 1980, radioactive water in one system could become mixed with separate cooling water and escape into the atmosphere devastating Salem Township!

(3) The Citizens intend to submit, presently, a contention pursuant to the NRC Statement of Interim Policy, June 13, 1980 ("Nuclear Power Plant Accident Considerations Under NEPA") alleging that the lack of fail-safe backup systems to prevent the above mentioned type of equipment failures in the event of a major reactor accident and subsequent massive release of radiation, could have disastrous consequences.

Initially, this intervener was denied the opportunity to properly and fully spell out this contention, and others as well, at the original pre-hearing conference because of the arbitrarily imposed impromptu gag rules, and the allowance of veiled intimidations from the other side. Thus, the probable misunderstanding by some parties on this and possibly other contentions.

For the NRC and Board officials to cause confusion at pre-hearing conferences--which they certainly did by shutting off debate, instead of carefully explaining procedures and carefully listening to intervener arguments in toto, this, in effect, violated the interveners right to equal protection under the law. It will only be through

the process of intervenor direct testimony and cross-examination on the admitted contentions at formal public hearings that these injustices can be rectified!

Dated December 4, 1980

Thomas J. Halligan
Correspondent

CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers Motion And Clarification Concerning Contention 16, have been served on the following by deposit in the United States mail, first class, this 4th day of September, 1980.

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