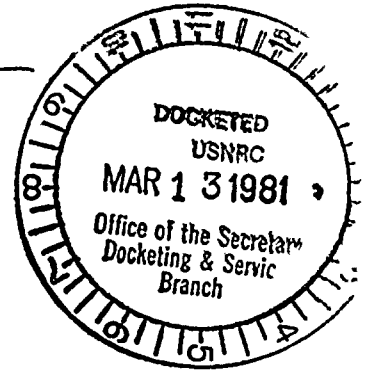


April 9, 1981



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
PENNSYLVANIA POWER & LIGHT COMPANY)
 and)
ALLEGHENY ELECTRIC COOPERATIVE, INC.)
)
(Susquehanna Steam Electric Station,)
Units 1 and 2)

Docket Nos. 50-387
50-388

APPLICANTS' RESPONSE TO CITIZENS AGAINST
NUCLEAR DANGERS MOTION ON LOW-LEVEL
RADIOACTIVE WASTE HOLDING FACILITY

In a March 27, 1981 filing entitled "Citizens Against Nuclear Dangers Statement on Interrogatories and Motions Before the Licensing Board", Citizens Against Nuclear Dangers (CAND) requested that the Licensing Board

hold an inquiry into the Applicants [sic] plan to construct a so-called "holding facility" for low-level radioactive [sic] materials on the Berwick site at a cost of 11.5 million dollars.



The motion also asked that the Licensing Board

deny the issuance of any separate license for this facility to the Applicants, at least until the interveners have an opportunity to participate in the deliberations.

Applicants respectfully request that CAND's motion be denied.

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In November 1980, Applicants announced plans to add a low-level radioactive waste holding facility (LLW facility) to the Susquehanna facility, an announcement widely reported in area newspapers at that time. Applicants have not as yet filed any license applications for the LLW facility, nor is any license required until LLW is actually stored in the facility. See 10 CFR §30.3.

There are two reasons why CAND's motion should be denied. First, since no separate license application for the LLW facility has been filed, a hearing on such a license is --- at the very least -- premature. Second, to the extent that issues relating to the LLW facility are relevant to Contention 11 in this proceeding*, they can be litigated as part of contention 11. It should be noted that in the very same filing in which CAND is seeking a hearing on this issue, it admits that it "does not possess any of the discovery information sought by the NRC and the Applicants, relevant to the health and safety

* Contention 11 reads as follows:

The proposed project creates an unreasonable risk of harm to the health and safety of petitioners and their private property, and violates the Commission's standards for protection against radiation in 10 CFR 20.1 and 20.105(a), in that Applicants have failed to provide adequately for safe onsite storage, for periods of up to 10 to 15 years, of spent fuel and low-level radioactive wastes.


contentions", one of which is Contention 11. A party must of course have some basis for seeking to convene a hearing. It may not request hearings simply for the sake of requesting hearings.

For the reasons set forth above, Applicants respectfully request that CAND's motion be denied.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


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Dated: April 9, 1981

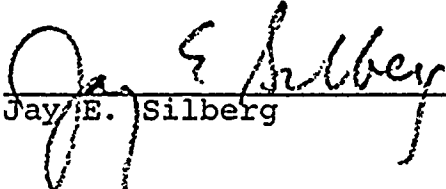
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Applicants' Response to Citizens Against Nuclear Dangers Motion on Low-Level Radioactive Waste Holding Facility was served by deposit in the United States Mail, First Class, postage prepaid this 9th day of April, 1981, to all those on the attached Service List.



Jay E. Silberg

Dated: April 9, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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