

April 29, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL 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 STAFF'S MOTION FOR
DIRECTED CERTIFICATION OF THE LICENSING
BOARD'S ORDER DATED MARCH 16, 1981

The Commission Staff ("Staff") moved on April 14, 1981 for the Appeal Board to direct certification to it pursuant to 10 C.F.R. § 2.718(i) and Public Service Company of New Hampshire (Seabrook Units 1 and 2), ALAB-271, 1 NRC 478, 482-83 (1975), of that portion of the Licensing Board's Memorandum and Order dated March 16, 1981 (LBP-81-8) that partially denied Applicants' motion for summary disposition of the chlorine contention in this proceeding. Applicants fully support the Staff's motion but believe that a broader remedy is required than that sought by the Staff.

DS03
S
1/1

18105110 225
G



STATEMENT OF FACTS

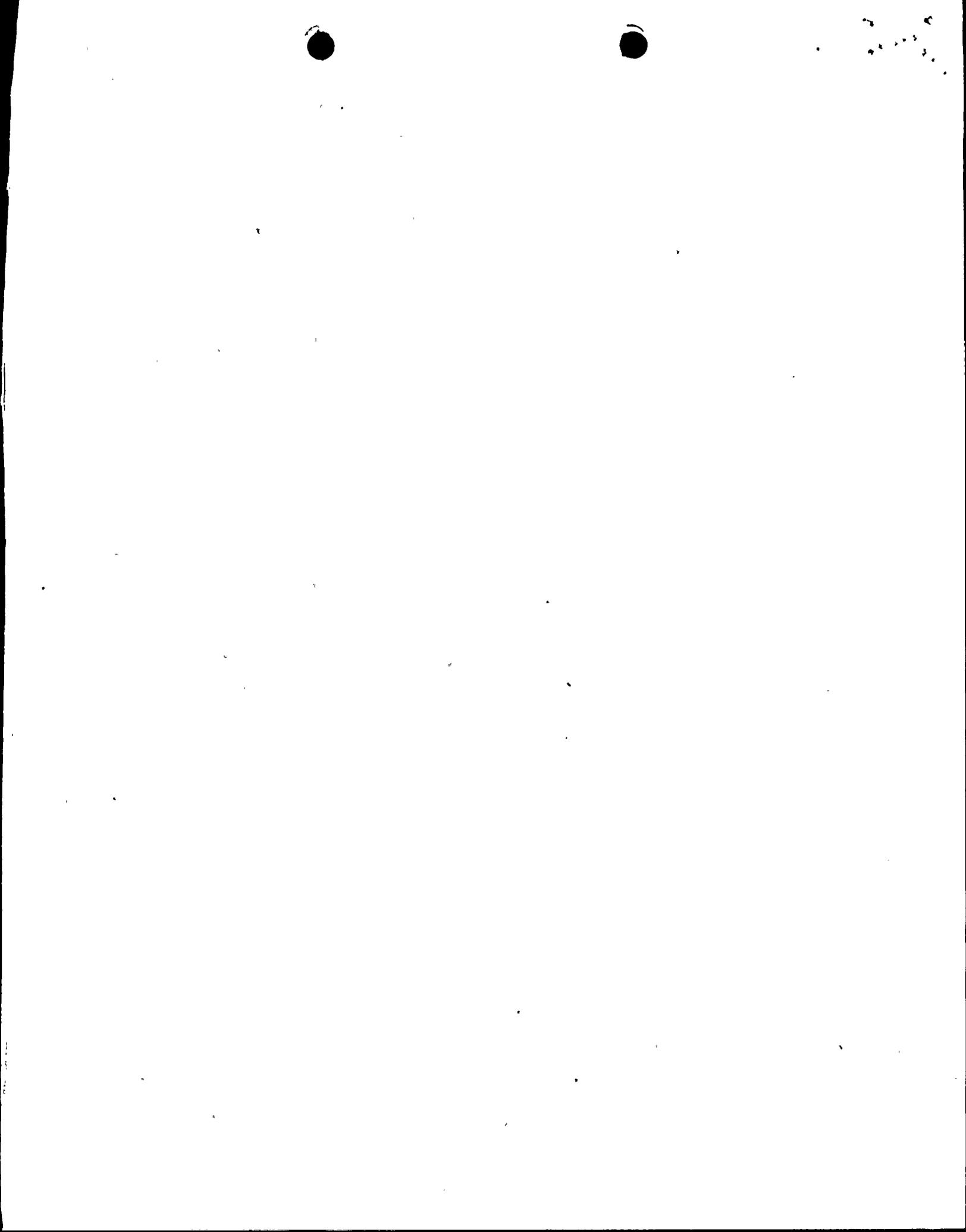
The matter in dispute here is a contention sponsored by intervenor Citizens Against Nuclear Dangers ("CAND") dealing with the health effects of chlorine discharges from the Susquehanna plant into the Susquehanna River. The chlorine contention was admitted into this proceeding by the Licensing Board in its Special Prehearing Conference Order, LBP-79-6, 9 NRC 291 (March 6, 1979). The Licensing Board made the chlorine issue part of Contention 2¹ and rewrote it as follows:

2....[T]he health effects of chlorine discharged into the [Susquehanna] [R]iver [by the Susquehanna plant], have not been, but must be, adequately assessed and factored into the NEPA cost-benefit balance before the plant is allowed to go into operation.

LBP-79-6, supra, 9 NRC at 301. In admitting the contention, the Licensing Board agreed with Applicants and Staff that the

1 The remainder of Contention 2 deals with the health effect of low-level radiation released by the Susquehanna facility and is not involved in the Staff's motion for directed certification or in the Applicants' motion for summary disposition which gave rise to the Staff's motion. Contention 2 in its entirety states:

2. The residual risk of low-level radiation which will result from the release from the facility of radionuclides, and particularly from the release of cesium-137 and cobalt-60, into the Susquehanna River, and the health effects of chlorine discharged into the river, have not been, but must be, adequately assessed and factored into the NEPA cost-benefit balance before the plant is allowed to go into operation.



amount of chlorine to be released from the plant is determined by the facility's National Pollution Discharge Elimination System ("NPDES") permit issued under Section 402 of the Federal Water Pollution Control Act and cannot be scrutinized in an NRC licensing proceeding. Id. at 300. The health effects of those chlorine discharges on the citizens of Danville were, however, appropriate for adjudication in this proceeding. Id.

Both Applicants and the Staff sought discovery from CAND regarding its chlorine contention. In its First Round Discovery Requests of the Citizens Against Nuclear Dangers, dated May 21, 1979, the Staff asked CAND to specify, among other things, the errors that exist in the estimates of health effects of chlorine releases, the amount of chlorine estimated by CAND to be discharged by the plant, and the health effects that would result from such a discharge. In response to these interrogatories,² CAND elaborated on the concerns expressed in its original contention as follows:

The NRC's specific questions concerning chlorine releases must be rephrased to take into consideration the magnitude of the water problems on the river, because there exists a major miscalculation due to unforeseen detrimental environmental circumstances that are beyond the control of the Applicants, but must be addressed nonetheless. This matter, outlined

2 CAND failed to respond specifically to similar interrogatories served on it by Applicants. See, Applicants' First Set of Interrogatories to Intervenor Citizens Against Nuclear Dangers, dated May 25, 1979.

below, is in response to the specific questions about chlorine.

The adverse health effects from the discharge of chlorine from the Berwick plant into the Susquehanna River will be substantially greater than estimated by the Applicants, due to planned government endorsed large-scale mining of Anthracite coal commencing in the near future. The necessity of continual pumping of billions of gallons of mine acid drainage into the Susquehanna River from numerous existing abandoned mine workings covering hundreds of square miles, to make possible the new mining operations, will in turn necessitate massive increases in the use of chlorine at the Applicants atomic power plant.

Another major source of serious pollution, located about 20 miles upstream from the Berwick Plant, that will require the Applicants to further increase the use of chlorine, is the Butler Mine Water Tunnel waste chemical spills into the Susquehanna River (see attached partial list entitled "Chronology of Events On The Susquehanna"). It is considered by many government experts to be the worse single occurrence [sic] of chemical pollution in the Commonwealth's history, and perhaps the nation. It is estimated that, over a period of time, hundreds of thousands of barrels of highly toxic chemical wastes (possible including radioactive wastes) were covertly dumped down boreholes into abandoned coal mine voids near Pittston, Pa., allegedly by "midnight haulers." After nearly one year of frantic and costly attempts to halt the intermittent flows of the toxic chemical wastes into the Susquehanna River from the Butler Tunnel outflow, the DER and the EPA are nowhere near stopping the pollution. The solution is years away at a cost of millions in taxpayer dollars.

The PP&L will simply have to cope with this pollution at the Berwick in take by revised design engineering to increase,

even further, the use of chlorine to demineralize and clarify the river water for plant use. It might take tons of chlorine each day to do the job.

Citizens Against Nuclear Dangers Motions and Replies to Interrogatories Nos. 2, 16 & 17, dated April 29, 1980, at 4-5 (original emphasis).

Having thus received clarification of the reach of CAND's chlorine contention, Applicants moved on November 6, 1980 for its summary dismissal based on an affidavit asserting that chlorine would not be used at Susquehanna to neutralize mine acid drainage or toxic chemical wastes, but to arrest the growth of slime-forming biolife on equipment surfaces and (to a much lesser extent) to disinfect the potable water supply and the sewage effluent. The affidavit also stated that the amount of chlorine needed to perform these functions would not be altered by the presence of mine acid drainage or toxic chemical wastes in the river.

On November 24, 1980, CAND filed a document entitled "Citizens Against Nuclear Dangers Petition and Motions on Summary Disposition" ("Petition") in which it asked the Licensing Board to deny Applicants' motion for summary disposition of the chlorine contention or "at least delay further consideration of the matter until the U.S. Council on Environmental Quality publishes latter [sic] this year their new studies linking chlorinated drinking water and cancer." Petition at 2. As another reason for denying summary

disposition, CAND alleged that an ethanol production facility is being planned in the Nanticoke Industrial Park along the Susquehanna River upstream from the Susquehanna site and that, when that plant is in operation, it will discharge "hundreds of millions of gallons of liquid waste" into the Susquehanna River, causing "a substantial increase in the cumulative growth of slime-forming biolife in the river that in turn will necessitate a considerable increase in the chlorination of the various water treatment systems" at the Susquehanna plant. Id. at 3. Neither affidavits nor any other evidentiary support were included with CAND's Petition.

The Staff filed on December 2, 1980 an Answer in Support of Applicants' Motion for Summary Disposition of Contention 2 (Chlorine) ("Answer"). Attached to the Staff's Answer was an affidavit by a technical member of the Staff corroborating the statements made in Applicants' motion. The Staff's Answer and affidavit also addressed the general health effects of chlorine discharges from the Susquehanna facility. The Staff concluded that the "use of chlorine for biofouling control will not result in a significant impact on public health." Answer at 11.

On January 7, 1981, at the Licensing Board's invitation, CAND filed a document entitled "Motion and Responses Concerning Summary Disposition" in which it generally denied the statements in the affidavits filed by Applicants and the Staff, without providing any facts in opposition to the

motion for summary disposition. This further response by CAND was also unaccompanied by affidavits. No other responses to Applicants' motion for summary disposition were filed.

On March 16, 1981, the Licensing Board issued its Memorandum and Order (Ruling on Motions for Summary Disposition of Contentions 2 and 16), LBP-81-8, 13 NRC ____ ("Memorandum").³ The Licensing Board granted summary disposition of the issues raised by the chlorine contention as defined through discovery (increased use of chlorine to clarify river water against acid mine drainage and toxic chemicals), but denied summary disposition on three other matters, all appearing for the first time in responses to Applicants' summary disposition motion.

Two of these new matters were those raised by CAND in its Petition (the allegations that CEQ was soon to publish a study linking chlorinated drinking water and cancer, and that a firm was planning to construct an ethanol production facility upstream from the Susquehanna plant). As to these, the Licensing Board acknowledged that "[t]o the extent that either of CAND's responses included any facts at all, they were not presented through affidavit," despite the Licensing Board's explicit instruction to CAND that factual responses to affidavits had to be in affidavit form. Memorandum at 8, n.17.

³ The Memorandum also ruled on Applicants' motion for summary disposition of Contention 16. That portion of the Memorandum was not included in the Staff's Motion for Directed Certification and is not objected to by Applicants.

Nevertheless, the Licensing Board gave "due account to such information as [was] provided" by CAND. Id. Not only did the Licensing Board give "due account" to the unsupported claims in CAND's response, but it accepted as factual CAND's mention of "an incipient CEQ study which allegedly will link chlorinated drinking water and cancer" and ruled that "[t]o the extent that the CEQ study might include health effects relevant to this facility, it could contradict certain of the NRC Staff's health-effects conclusions." Id. at 9, emphasis added. Based on this slender thread of speculative assumptions, the Licensing Board ruled that "[c]onsequently, our action here will not preclude adjudication of such question." Id.

With respect to the alleged plan for construction of an ethanol production facility upstream from the Susquehanna plant, the Licensing Board recited CAND's claim that the facility would release hundreds of millions of gallons of liquid wastes into the river annually causing an increase in "slime-forming biolife" which would necessitate an increase in the use of chlorine at Susquehanna. The Licensing Board then held: "CAND could be correct. If an ethanol facility is constructed upstream from the Susquehanna plant and does discharge large amounts of organic wastes into the river, it might necessitate an increase in the amount of chlorine used at the power plant, because organic waste in the river could provide nutrients which would favor a greater growth rate by slime-forming organisms." Id. at 9-10, emphasis added. Again,

based on this accumulation of unsupported assumptions which it took as factual statements, the Licensing Board wrote "findings of fact" (see Findings 4 and 6), and denied summary disposition.

The third area in which summary disposition was denied was "the broader question" of whether the general health effects of the chlorine to be discharged from the Susquehanna facility have been adequately assessed. The Staff had first addressed this issue in its Answer to Applicants' Motion for Summary Disposition notwithstanding the Staff's acknowledgement that the contention had been narrowed through discovery to deal only with the effects of mine acid drainage and toxic chemical spills. See Answer at 5, 6. The Staff concluded that "there has been an adequate and comprehensive assessment [of the effects of chlorine use at Susquehanna] in the Draft Environmental Statement" and that the use of chlorine at Susquehanna "will not result in a significant impact on public health." Answer at 8, 11. The Licensing Board, however, went beyond this uncontradicted statement by the Staff and reached the opposite conclusion, that is, that questions of fact remained as to whether the health effects of chlorine use at Susquehanna have been adequately assessed.

The Staff had noted in its Answer and the attached affidavit that among the by-products of chemical reaction between chlorine and substances in the plant's cooling water would include chlorine-containing compounds known as

trihalomethanes. Trihalomethanes, according to the Staff, are suspected carcinogens. Their quantitative concentration at the discharge point from the Susquehanna facility (cooling tower blowdown) had not been estimated and was said to depend on specific water chemistry existing under operating conditions, which could not be predicted accurately. However, an NRC Staff study of chlorinated closed cycle cooling systems showed a trihalomethane concentration that was of the same order as that considered by EPA as acceptable to protect public health, and well below the permissible concentration in community drinking water systems. Based on that study, on the capability of water treatment plants downstream to reduce the amount of trihalomethanes in drinking water, and on the considerable dilution of the trihalomethane concentration beyond the discharge point due to normal river flow, the Staff concluded that the use of chlorine at Susquehanna would not result in a significant impact on public health.

The Licensing Board treated this analysis by the Staff, which was uncontradicted and was contained in an affidavit from an expert in the field, with far less deference than it had accorded to CAND's unsubstantiated allegations. It observed that the Staff appeared to be "less certain" about the lack of health effects from trihalomethane discharges (Memorandum at 7); it noted the absence of a quantitative estimate of trihalomethane concentrations in the plant discharge (a matter not previously raised by any party in the

proceeding); and underscored the fact that "[a]lthough the Staff concluded that the use of chlorine for biofouling control will not result in a significant impact on public health, it was able to state only that '[t]he trihalomethane content of the discharge may be below the maximum containment level [established] by EPA under the Safe Drinking Water Act'" (Id. at 8, emphasis by the Board);⁴ and, based on these observations, determined that summary disposition could not be granted because "the quantities and health effects of trihalomethanes and halomethanes to be released [had not] been adequately assessed, at anticipated or higher-than-anticipated levels of chlorination". Id. at 12.

ARGUMENT

I. This Is An Appropriate Case For The Appeal Board To Direct Certification

As a general proposition, a Licensing Board's denial of a summary disposition motion is an interlocutory ruling from which no appeal may be taken. 10 C.F.R. § 2.730(f). An exception to this principle is provided by Sections 2.718(i)

⁴ The Board acknowledged, but took no account of the fact, that it is EPA and not NRC who is empowered to establish and enforce the maximum permissible quantities of chlorine and chlorine byproducts in drinking water. The Board also failed to distinguish between the concentration at the discharge point and the considerably lower concentration in the drinking water supply due to dilution and treatment at the municipal water treatment plants.

and 2.785(b)(1) of the Commission's Rules of Practice, under which the Appeal Board has the power (delegated to it by the Commission) to direct the certification of legal issues raised in proceedings still pending before licensing boards. The certification power can be exercised by the Appeal Board sua sponte or upon motion by a party and extends, among other rulings, to denials of summary disposition motions. Public Service Co. of New Hampshire (Seabrook Station, Units 1 and 2), ALAB-271, 1 NRC 478, 482-83 (1975).

The certification power has been exercised by the Appeal Board in a variety of settings. See, Public Service Co. of Indiana (Marble Hill Nuclear Generating Station, Units 1 and 2), ALAB-405, 5 NRC 1190, 1191 n.3, 1192 n.7 (1977); Puget Sound Power and Light Co. (Skagit Nuclear Power Project, Units 1 and 2), ALAB-572, 10 NRC 693, 695 n.5 (1979). Indeed, the Appeal Board has recently found occasion to exercise its certification power to review the Licensing Board's discovery rulings in this proceeding. See, ALAB-613, 12 NRC 317, 321 (1980)⁵

This is not to say that certification is to be granted as a matter of course. Interlocutory review of a legal issue by the Appeal Board is appropriate when a failure to address the issue would seriously harm the public interest,

5 As will be seen, the issues raised in this motion are as exceptional and important as those that prompted the Appeal Board's certification in ALAB-613.

result in unusual delay or expense, or affect the basic structure of the licensing proceeding in some pervasive or unusual manner. Consumers Power Co. (Midland Plant, Units 1 and 2), ALAB-634, 13 NRC ____ (February 19, 1981), slip op. at 4; Marble Hill, supra, 5 NRC at 1192.

Reasons why certification is appropriate in this instance have been aptly set forth by the Staff in its Motion and need not be repeated here. A few additional observations, however, are in order. First, the public interest requires that Commission licensing proceedings be conducted in an expeditious manner consistent with public health and safety and the protection of the environment. Certainly one of the most important vehicles for expediting hearings is the resolution of issues by summary disposition. Licensing Boards, Appeal Boards and the Commission itself have called for the increased use of summary disposition procedures. See, e.g., Further Commission Guidance For Power Reactor Operating Licenses, CLI-80-42, 45 Fed. Reg. 85236, 85238 (December 24, 1980). As the Appeal Board noted recently, "Section 2.749 summary disposition procedures provide in reality as well as in theory, an efficacious means of avoiding unnecessary and possibly time-consuming hearings on demonstrably insubstantial issues." Houston Lighting and Power Co. (Allens Creek Nuclear Generating Station Unit 1), ALAB-590, 11 NRC 542, 550 (1980), and ALAB-629, 13 NRC ____, slip op. at 2 (February 2, 1981). Where, as here, the Licensing Board has misapplied the summary

disposition procedure to the point of broadening rather than narrowing the issues of the case, parties will be much less likely to avail themselves of the summary disposition process. This, in turn, will delay hearings and result in the needless expenditure of resources by parties in licensing hearings.

Second, the Licensing Board has nullified the usefulness of discovery as a means of focusing contentions and narrowing issues prior to a licensing hearing.

Third, the burden placed on Applicants and Staff by the Licensing Board's ruling on the chlorine issue goes far beyond what is reasonably associated with litigating this contention. For example, Applicants and Staff may now be required to develop a record on the operating characteristics of a hypothetical ethanol production facility whose existence, nature and amount of waste releases, and impact on the chlorine usage at Susquehanna are wholly speculative. To develop such a record may not even be possible. No party to this proceeding has any involvement in the reported ethanol plant. It may well be that the technical information needed to address the Licensing Board's concerns does not exist or is not publicly available, and may include data that the firm developing the facility considers confidential. The burden of developing such information is particularly onerous where, as here, the intervenor never alluded to such a facility in responding to outstanding discovery requests.

Fourth, the precedent created by the Licensing Board's ruling on the chlorine contention is likely to affect

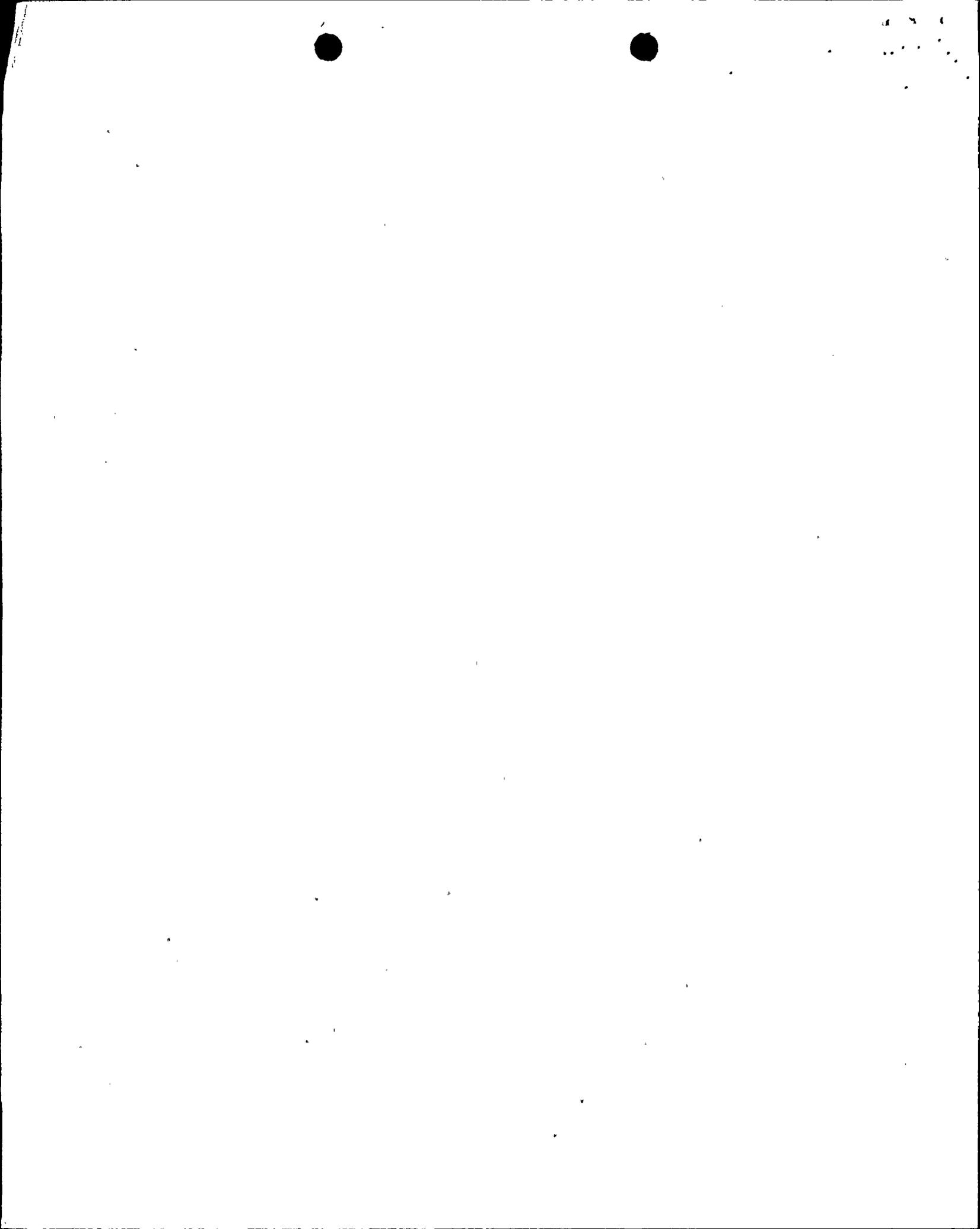
significantly the further course of this proceeding. If the ruling is allowed to stand, Applicants will certainly be less likely to attempt to focus the issues by filing summary disposition motions, since the outcome of such efforts may be to add new matters to an already crowded list of issues. Needless to say, litigation of issues that should be summarily dismissed can only produce a protracted hearing and an unmanageable record.

For these reasons, and those pointed out in the Staff's Motion, interlocutory review by the Appeal Board of the Licensing Board's ruling on chlorine is imperative.

II. The Licensing Board Erred In Denying Summary Disposition Of The Chlorine Contention On The Basis Of Unsupported And Speculative Allegations

An examination of the Licensing Board's Memorandum and Order and the pleadings, discovery and motion papers relevant to the chlorine contention reveals that the Licensing Board committed significant procedural and substantive errors in partially denying Applicants' motion for summary disposition. The magnitude of the errors is such that the most suitable remedy is for the Appeal Board either to grant summary disposition and dismiss the contention based on the existing pleadings and motion papers or to remand the matter to the Licensing Board for a de novo ruling on Applicants' summary disposition motion.

CAND's expressed basis for the chlorine contention, as set forth in its discovery responses, has been its belief



that large amounts of chlorine would be used to demineralize the river water from toxic chemicals and mine acid drainage from abandoned mine workings. Applicants moved for summary disposition because the chlorine contention, as framed by its sponsor, presents no material issues of fact that need to be resolved at the hearing. Indeed, the Licensing Board correctly found that the chlorine contention, as defined by CAND in its discovery responses, lacked any factual basis and should be dismissed. Memorandum and Order at 11-12. The Licensing Board, however, denied summary disposition on the three matters discussed above and set them for hearing with the remaining environmental contentions.

The treatment given these three matters by the Licensing Board is erroneous and extremely prejudicial to the Applicants and the Staff. With respect to the two allegations raised for the first time by CAND in its response to the motion for summary disposition and the matter of health effects of chlorine discharges, the Licensing Board in effect admitted new contentions into the proceeding, notwithstanding that these were untimely, failed to comply with the requirements of Section 2.714(a) of the Commission's Rules of Practice, and were offered without any semblance of basis or support. In the process of doing so, the Licensing Board enlarged the scope of the chlorine contention well beyond the intent of its sponsors, and beyond the scope of the contention as defined by the Licensing Board itself;⁶ made findings not based on any facts

⁶ As noted above, the Licensing Board had determined, in admitting the chlorine contention, that the amount of chlorine (continued next page)

on the record (i.e., that the postulated ethanol facility would generate organic waste which, if released to the river, would provide nutrients that would increase the rate of growth of biofouling organisms); disregarded the standards for deciding motions for summary disposition in Commission proceedings, and made findings of fact directly contradicted by an affidavit from a Staff witness.

In short, the Licensing Board's ruling was flawed in that (1) it relied on extra-record, non-evidentiary material; (2) it ignored the scope of the contention, as limited by discovery and by its own previous ruling; (3) it failed to credit properly the evidentiary material contained in Applicants and Staff's affidavits; and (4) it contravened the explicit Commission rule requiring that a summary disposition motion be granted "if the filings in the proceeding, depositions, answers to interrogatories, and admissions on file, together with the statements of the parties and the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a decision as a matter of law." 10 C.F.R. § 2.749(d). It is clear, therefore,

(continued)

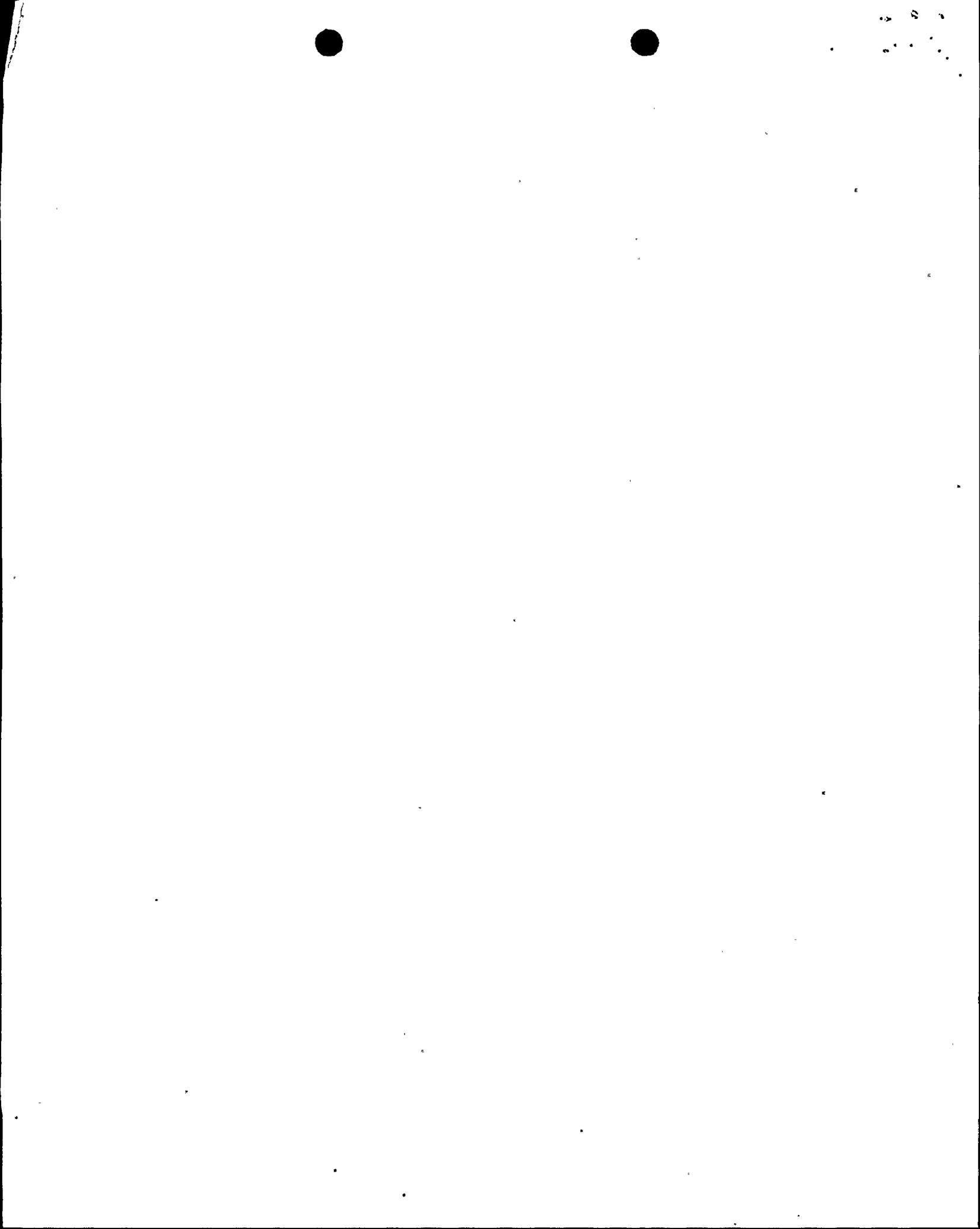
to be discharged from the Susquehanna facility was not a litigable issue in an NRC Licensing proceeding. LBP-79-6, supra, 9 NRC at 300. In its Memorandum and Order, however, the Licensing Board required Applicants and staff to address the health effects of "higher-than-anticipated levels of chlorination," thus effectively overruling its previous holding in LBP-79-6.

that the Licensing Board's rulings on the chlorine contention are erroneous and should not be allowed to stand.

III. The Appeal Board Should Either Grant Summary Disposition
And Dismiss The Chlorine Contention In Its Entirety Or
Remand It For A De Novo Examination By The
Licensing Board

As noted above, Applicants agree with the analysis in the Staff's Motion for Directed Certification insofar as it points out reasons for the Appeal Board's exercise of its directed certification power and identifies errors in the Licensing Board's ruling. The Staff's plea for relief, however, merely seeks reversal of the Licensing Board's ruling requiring that the "CEQ study" and the "ethanol facility" be addressed at the hearing, and striking of findings 4 and 6.

The remedy sought by the Staff does not go far enough. Findings 5, 7 and 8 on the health effects of chlorine byproducts are either unnecessary or erroneous. The Licensing Board's ruling that an assessment should be made of the health effects of "anticipated or higher-than-anticipated levels of chlorination", including the quantities and effects of trihalomethanes and halomethanes, is contrary to facts on the record, including the uncontradicted affidavit by the Staff's expert, who attested that the use of chlorine at Susquehanna "will not result in a significant impact with respect to public health." Affidavit of John C. Lehr at 10. A finding so contrary to the record is beyond the powers of the Board in deciding summary disposition motions.



The errors in the Licensing Board's ruling are sufficiently pervasive that they invalidate the Licensing Board's overall disposition of the chlorine contention; if left uncorrected, they may generate similar erroneous rulings in the future. Consequently, Applicants submit that their Motion for Summary Disposition of the chlorine contention must be decided afresh, either by the Appeal Board or by the Licensing Board on remand.

The Appeal Board has all the information necessary for it to rule on the Applicant's summary disposition motion on the chlorine contention. Therefore, in the interest of efficiency, Applicants suggest that the Appeal Board consider de novo and grant their Motion for Summary Disposition of Contention 2 (Chlorine) in this proceeding. Should the Appeal Board decide to defer to the Licensing Board on this matter, Applicants alternatively suggest that the Licensing Board's disposition of the chlorine contention be vacated, and the issue be remanded to the Licensing Board with instruction to make a de novo determination of Applicants' Motion for Summary Disposition.

CONCLUSION

For the reasons discussed above, Applicants submit that the Appeal Board should exercise its discretionary power to direct certification of the Licensing Board's Memorandum and Order insofar as it ruled on the chlorine contention in this

proceeding; further, the Appeal Board should vacate the above referenced portion of the Memorandum and Order, make a de novo determination of the merits of Applicants' Motion for Summary Disposition of Contention 2 (Chlorine), and dismiss that contention; or, alternatively, the Appeal Board should vacate the above referenced portion of the Memorandum and Order, and remand the issue to the Licensing Board for a de novo ruling on Applicants' Motion.

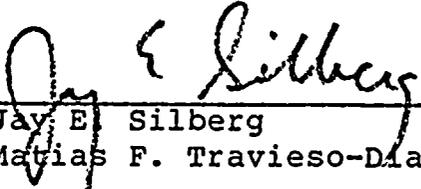
Applicants respectfully request expeditious consideration by the Appeal Board of the Staff's Motion for Directed Certification, since Applicants hope that the evidentiary hearing on this proceeding will start in the Fall and the preparation of further motions for summary disposition, as well as direct testimony, may be affected by the resolution of this issue.

Dated: April 29, 1981.

Respectfully submitted,

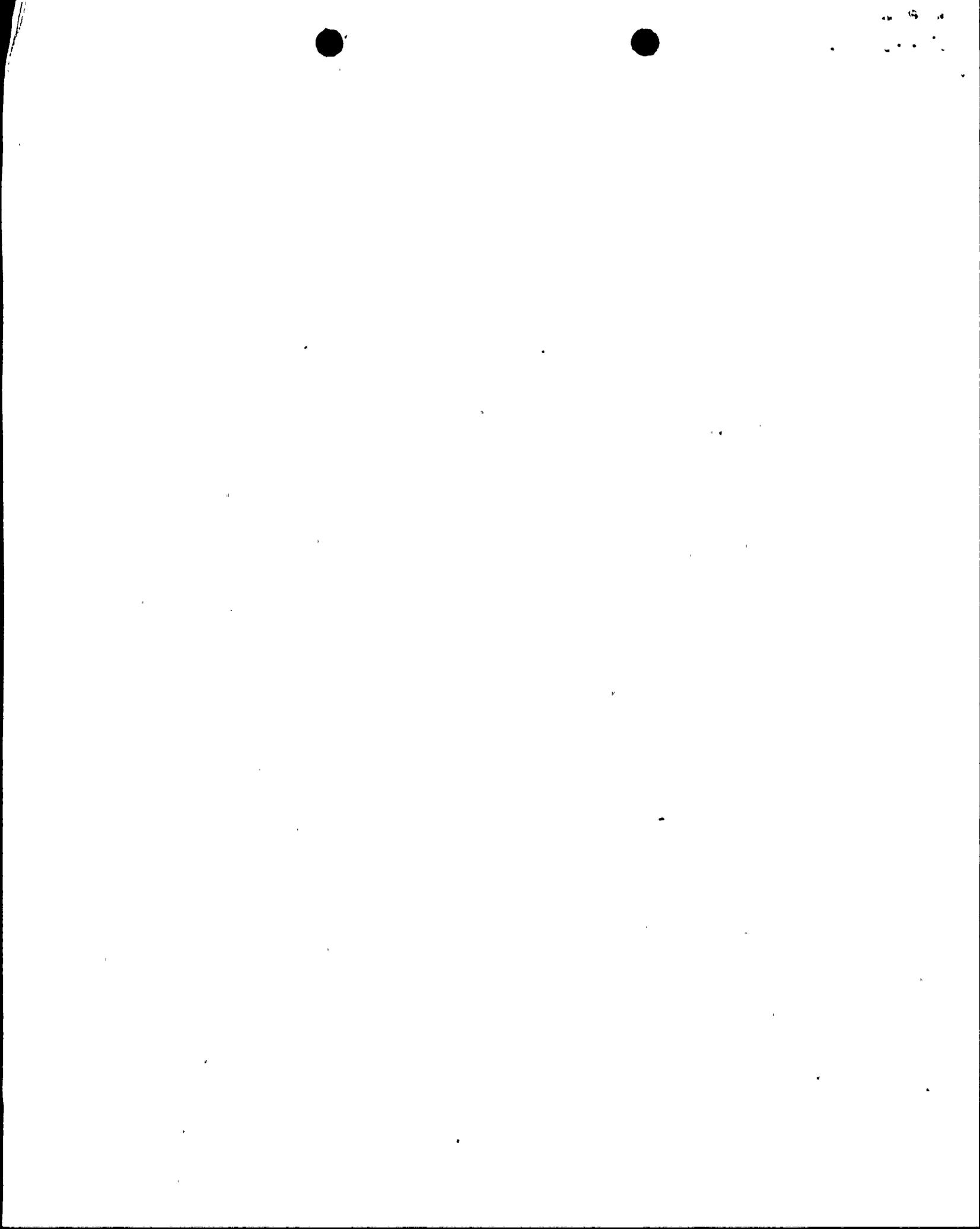
SHAW, PITTMAN, POTTS & TROWBRIDGE

BY:



Jay E. Silberg
Matias F. Travieso-Diaz
Counsel for Applicants

1800 M Street, N.W.
Washington, D.C. 20036
(202) 822-1000



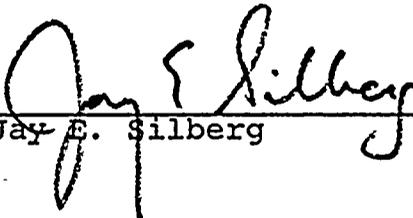
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
PENNSYLVANIA POWER & LIGHT COMPANY) Docket Nos. 50-387
 and) 50-388
ALLEGHENY ELECTRIC COOPERATIVE, INC.)
)
(Susquehanna Steam Electric Station,)
Units 1 and 2))

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Applicants' Reponse to Staff's Motion for Directed Certification of the Licensing Board's Order dated March 16, 1981 was served by deposit in the United States Mail, First Class, postage prepaid, this 29th day of April, 1981, to all those on the attached Service List.



Jay E. Silberg

Dated: April 29, 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

SERVICE LIST

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Administrative Judge James P. Gleason
513 Gilmore Drive
Silver Spring, Maryland 20901

Mr. Glenn O. Bright
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Paul W. Purdom
245 Gulph Hills Road
Radnor, Pennsylvania 19087

Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Docketing and Service Section
Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Judith E. Johnsrud
Co-Director
Environmental Coalition on
Nuclear Power
433 Orlando Avenue
State College, Pennsylvania 16801

Susquehanna Environmental Advocates
c/o Gerald Schultz, Esquire
Post Office Box 1560
Wilkes-Barre, Pennsylvania 18703

Mr. Thomas J. Halligan, Correspondent
The Citizens Against Nuclear Dangers
Post Office Box 5
Scranton, Pennsylvania 18501

Ms. Colleen Marsh
Box 558 A, R. D. #4
Mt. Top, Pennsylvania 18707

Jessica H. Lavery, Esquire
Office of the Executive Legal
Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Karin W. Carter, Esquire
Department of Environmental Resources
Commonwealth of Pennsylvania
505 Executive House
Post Office Box 2357
Harrisburg, Pennsylvania 17120

Larry Chandler, Esquire
Office of the Executive Legal
Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Thomas M. Gerusky, Director
Bureau of Radiation Protection
Department of Environmental
Resources
Commonwealth of Pennsylvania
Post Office Box 2063
Harrisburg, Pennsylvania 17120

TO:

Document Control Desk, 016 Phillips

FROM:

Docketing Service Branch, Office of the Secretary

SUBJECT:

REQUEST FOR DISTRIBUTION SERVICE THROUGH REGULATORY INFORMATION
DISTRIBUTION SYSTEM (RIDS)

NOTE: The attached document, which relates to a specific
licensing docket, is the DOCUMENT CONTROL ACTION
COPY. It is certified by the Office of the Secretary
as the best available copy.

RIDS CODES AND TITLES

Rids Code

Description

DS01

Antitrust Issuances

DS02

Non-Antitrust Issuances

DS03

Filings (Not Originated by NRC)

DS04

Antitrust Filings (Originated by Non-Parties)

DS05

Non-Antitrust Filings (Originated by Non-Parties)

DS06

ELD Filings (Antitrust)

DS07

ELD Filings (Non-Antitrust)

DS08

Antitrust Filings (Not Originated by NRC)

Att: