

August 30, 1979

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

8/30/79

In the Matter of

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

DOCKET Nos. 50-387
50-388

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

CITIZENS AGAINST NUCLEAR DANGERS (CITIZENS)
APPEAL BEFORE THE NRC APPEAL BOARD PANEL
PERTAINING TO THE LICENSING BOARD'S
"MEMORANDUM AND ORDER ON SCHEDULING AND DISCOVERY MOTIONS" AUGUST 24, 1979.

The chairperson of the Citizens has authorized the filing of the following appeal with the NRC Appeal Board Panel. First of all, the Licensing Board should be directed to segregate the several issues involved and re-issue separate orders for each individual motion and question before the Board. The Order of August 24, 1979, as it now stands, is merely a clever meshing of several decisions into one overlapping hodge-podge of verbage that is deceptive, whether by intent or otherwise.

The Board has published in this Order patently false statements about the Citizens, which is the basis for part of the appeal. The Board has based some of its decisions, apparently on false assumptions. The Board, in prophesying the future, has also ruled on presumptions and not on facts. In a word, the Citizens question the veracity of the findings. The Board, in the interpretation of obscure administrative rules, illustrate the self-serving manner in which the NRC and the Licensing Boards, seemingly, operate hand-in-hand against the public interest.

In a supplemental appeal, that will be forwarded in the next several days, the Citizens will document in detail exact items in the Order of August 24, 1979, that are objected to, for the Appeal Board to review,...and for the several governmental committee and commission memberships to evaluate in their separate official proceedings on the NRC.

However, at this moment, the Citizens want to be promptly assured by the Appeal Board Panel that the directive to the Citizens on page eleven of the Order, seeking additional answers to discovery questions, (and for that matter all directives to the interveners) are automatically held in abeyance while this appeal is under review. The Appeal Board should also clearly delineate the guidelines and timetables, etc., for processing this appeal, to all the parties.

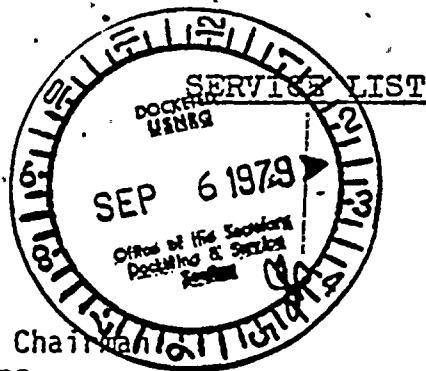
Respectfully submitted

Dated: August 30, 1979

Thomas J. Halligan
Correspondent

CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers (Citizens) Appeal Before The NRC Appeal Board Panel, Pertaining To The Licensing Board's "Memorandum and Order On Scheduling And Discovery Motion," August 24, 1979. have been served on the following by deposit in the United States mail, first class, this 30th day of August, 1979.



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

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

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

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

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

James M. Catchin, IV, Esquire
Office of the Executive Legal
Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Jay Silberg, Esq.
Shaw, Pittman, Potts and
Trowbridge
1800 M Street, N.W.
Washington, D.C. 20036

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

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

Ms. Colleen Marsh
Box 538A, RD#4
Mountain Top, PA 18707

Susquehanna Environmental
Advocates
c/o Gerald Schultz, Esq.
500 South River Street
Wilkes-Barre, PA 18702

Thomas J. Halligan
Correspondent

MIDDLETOWN, VA. 22645



4-06764CS242002 08/30/79 ICS IPMMIZZ CSP SCRA
1 7173421653 M3M TDYT SCRANTON PA 08-30 0600P EST

THOMAS J HALLIGAN, CORRESPONDENT
PO BOX 5
SCRANTON PA 18501

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7173421653 M3M TDYT SCRANTON PA 62 08-30 0600P EST
ZIP
ATOMIC SAFETY AND LICENSING APPEAL BOARD PANEL <U.S. NUCLEAR REGULATORY
COMMISSION
WASHINGTON DC 20555

THE CITIZENS AGAINST NUCLEAR DANGER OF BERWICK PENNSYLVANIA
(INTERVIEWERS), HEREBY APPEAL THE ORDER OF THE BOARD OF AUGUST 24,
1979; DOCKET #50-387-388. PARTICULAR OBJECTION TO THE BOARD DECISION
AND SUPPLEMENTAL APPEALS, WILL BE PROMPTLY FILED BY MAIL WITH THE
APPEAL BOARD AND ALL PARTIES
THOMAS J HALLIGAN, CORRESPONDENT

1802 EST

M3MCOMP M3M

