

Reg. Filed

12/15/78

Jane Limanowicz, Chairman
C. U. N. D.
Box 377 R. D. #1
Berwick, Pa. 18603

Mr. James R. Youe, Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

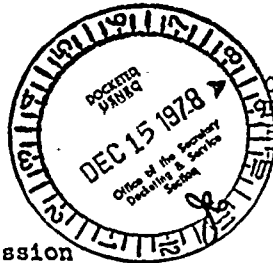


Mr. Youe:

The NRC requested the intervenors meet with applicants on contentions etc. Enclosed is our response to same.

Re: docket nos. 50-387 - 50-388

Jane Limanowicz
Chairman



Citizens Against Nuclear Dangers
P.O. Box 377, R.D. #1
Berwick, Pennsylvania 18603
December 4, 1978

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

Reference: Application for Facility Operating Licenses;
Permit Nos. CPER-101 and CPER-102 (Docket Nos. 50-387 & 50-388)
Pennsylvania Power & Light Company's atomic power facility
known as the "Susquehanna Steam Electric Station,"
Units 1 and 2, Berwick, Pa.

Dear Mr. Secretary:

In response to similar correspondence, each dated November 3, 1978, from a NRC lawyer and another Washington lawyer standing-in for the PP&L, the Citizens Against Nuclear Dangers (Citizens) offer the following observations and recommendations to the parties involved. The Citizens, in its timely petitions filed with the NRC, clearly outlined some of its contentions. The Citizens believe that they are relevant and in the public interest, in that they pertain primarily to issues of public health and safety, which we presume should also be a primary concern of the NRC, in reviewing the Operating Permit Applications for the PP&L Berwick Atomic Plant, under construction.

We do not perceive any merit in the request to confer with the two attorneys referred to above. The NRC staff lawyer, in fact, has already exhibited what appears to be bias in this case. We, also, gather from their correspondence that they apparently do not truly recognize our legitimate contentions. So, we defer from taking part in a suggested pre-pre-hearing conference, if only to avoid the slightest appearance of deal-making. The Citizens urge the other interveners to do likewise. Our First and Fifth Amendment Rights are involved.

The Citizens have sufficient research prepared to go directly to public hearings. We do, however, acknowledge that the other parties may need considerable time to prepare for the forthcoming public hearings. The Citizens will agree to such necessary delays on their part, and we will be ready when the other parties are..

In regards to the actual public hearings, the following preferences and recommendations are outlined for careful consideration by all parties:

1) The city of Wilkes-Barre, Pennsylvania (the county seat of Luzerne County) be designated as the locality for the public hearings; The PF&L Atomic Plant site is in Salem Township, Luzerne County.

2) The Federal Courthouse in Wilkes-Barre be reserved as the public hearing site;

3) Witnesses for each intervening group should be allowed to present their separate testimony and exhibits relating to each category or contention submitted for the hearing agenda;

4) The corporate officers and managers who will be directly responsible for the supervision of the PF&L Atomic Plant should be ordered to appear in person and testify under oath, and submit to cross-examination under oath. (Surrogates should be disallowed);

5) Local, State, Federal and Industry officials who will regulate and inspect all aspects of the fuel cycle pertaining to Permits Nos. CFFR-101 and CFFR-102 (Docket Nos. 50-387 and 50-388) should be directed to testify also under similar guidelines.

6) Pursuant to the Freedom of Information Act, et al, the intervening parties should be promptly furnished, free of charge, one true certified set of the complete NRC file, including: applications, correspondence, NRC staff reports, memorandums, safety and environmental studies and reports, legal documents, and any other pertinent government data relating to Permit Nos. CFFR-101 and CFFR-102; and Docket Nos. 50-387 and 50-388. (see post script for one example);

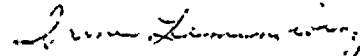
The Citizens believe that this request for public documents is reasonable, necessary and in the public interest.

In conclusion, the Citizens respectfully reminds the NRC that the United States General Accounting Office recently conducted an investigative study of the NRC and published a critical report to the Congress entitled: The Nuclear Regulatory Commission Needs to Aggressively Monitor And Independently Evaluate Nuclear Powerplant Construction. This report points out deficiencies at the NRC in the past, affecting, among other things, the public's right to be protected from nuclear dangers.

Because of the potential enormous impacts on the human environment in the Commonwealth by the FP&L Atomic Plant and the UHV transmission to Allegheny Electric, the Citizens hereby petition the entire Congressional Delegation from Pennsylvania to closely monitor the dealings of the NRC prior to and during the hearings, in light of the GAO report, to be sure that the Constitutional Rights and the "right to know" of the interveners and their witnesses are fully protected. In a word, no "Catch 22" bureaucratic or legal slight-of-hand should enter into the proceedings. Of course, the Congressmen and their aides are invited to witness the public hearing, to be scheduled early next year.

The obligation to interpret government rules and regulations along Constitutional lines to insure that the public-interest interveners' are afforded full protection and due process of law lies squarely with the NRC. The Congress, for its part, should exert its power of oversight regarding the NRC in this case.

Yours truly .



Mrs. Irene Lemanowicz
Chairperson
Citizens Against Nuclear Dangers

P.S. The NRC is requested to furnish the Citizens with the official railroad safety inspectors' accident reports on the CONRAIL derailment of a train engine and flatcar carrying the million dollar transformer that was damaged as a result of the run-away train derailment on the premises of the FP&L Atomic Plant construction site near Berwick, Pa., occurring on Thursday, October 26, 1978.

c.c. Atomic Safety & Licensing Board Panel
Pa. Congressional Delegation
Comptroller General of the U.S. - GAO
President, FP&L, Allentown, Pa.
Susquehanna Environmental Advocates
Ms. Colleen Marsh, et al.
Environmental Coalition on Nuclear Power

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

PENNSYLVANIA POWER AND LIGHT)
COMPANY)

(Susquehanna Steam Electric)
Station, Units 1 and 2))
)
)

Docket No. (s) 50-387
50-388

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this

18th day of Dec 1978.

Peggy T. Downing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
PENNSYLVANIA POWER AND LIGHT)	Docket No.(s) 50-387
COMPANY, ET AL.)	50-388
)	
(Susquehanna Steam Electric)	
Station, Units 1 and 2))	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

REQUEST FOR REPORTING SERVICE
Work Order No. AF436

12/13/78

OFFICE OF THE
SECRETARY

CASE: PENNSYLVANIA POWER & LIGHT COMPANY, et al. (Susquehanna)

Docket No.: 50-387, 388

ADDRESS OF: PREHEARING Courtroom No. 2, Federal Building and United States house
197 South Main Street Court
Wilkes-Barre, Pennsylvania 18701
(Contact: Theresa Reilly, 717-822-8042)

HEARING _____

DURATION: Prehearing Two days - maybe three Hearing _____

DATE OF: Prehearing 1-29, 30 & 31-79 Hearing _____

TIME OF: Prehearing 2:00 pm on 29th Hearing _____

SERVICE REQUIRED: Prehearing _____

Hearing Schedule D

TYPE OF HEARING: _____

BOARD: Chairman Bechhoefer : Members Bright, Paris

COPIES OF THE TRANSCRIPT MAY BE SOLD.

DATE OF ORAL REQUEST: 12-13-78

DATE OF CONFIRMATION: 12-23-78

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BY: _____

C. R. Stephens
DOCKETING AND SERVICE BRANCH

SPECIAL INSTRUCTIONS:

Pagination whould begin with page 1.

cc: Mr. Bechhoefer
ASLBP
ELD
ASLAP
Mrs. Duncan
Mrs. Rushbrook
Mr. Fouchard
Rec. Fac Br.
Controller