

ENVIRONMENTAL COALITION ON NUCLEAR POWER

Co-Directors: Mr. George Boomsma—R.D. #1, Peach Bottom, Pa. 17563 717-548-2836

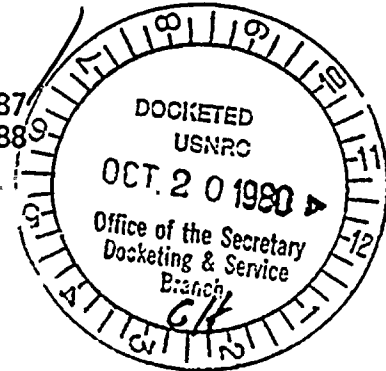
Dr. Judith Johnsrud—433 Orlando Avenue, State College, Pa. 16801 814-237-3900

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

Docket Nos. 50-387
50-388

10 Oct 80



ECNP INTERVENORS' RESPONSE TO APPLICANT'S
MOTION TO RESUME DISCOVERY ON SAFETY ISSUES

The Applicant has asked the Board to resuscitate the discovery process on safety issues in the above-captioned proceeding and to order intervenors to complete responses to interrogatories within one month.¹ ECNP urges the Licensing Board to deny the Applicant's request, as being untimely and contrary to the Board's prior order of October 30, 1979.

The basis of the discovery discords that have marred this proceeding lies in the large numbers of Applicant's interrogatories which have been required to be answered within an unreasonably -- indeed, impossibly -- short time period by the citizen intervenors who have been denied funding and other procedural assistance and access to virtually all documents sought by intervenors on discovery.

The Board has already ruled on the matter now at hand. On October 30, 1979, this Board postponed discovery on health and safety issues until the end of the environmental phase of the proceeding (LBP-79-31, 10 NRC 597; also noted in ALAB-613). Although ECNP has continued and now continues to object to the burdensome and unreasonable and unnecessary total number of interrogatories imposed, it was in part this postponement of a portion of the excessive burden that ultimately enabled ECNP to fulfill the Board's order to respond to the interrogatories on environmental issues.²

The environmental hearings have not yet even been scheduled, much less completed, and hence the environmental phase is far from ended. Furthermore,

¹ Intervenors learned of this motion via newspaper headline, Harrisburg Patriot.

² See note on p. 2.

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in the aftermath of the still-ongoing Three Mile Island, Unit 2, accident, March 28, 1979, additional time should be allotted to all intervenors after the end of the environmental phase to review the status of safety contentions and to submit new and revised contentions based at that time upon the status of the Applicant's compliance with the TMI Lessons Learned and short- and long-term actions to enhance reactor safety. ECNP suggests to the Board that, following the completion of the environmental phase an appropriate period of time be set aside prior to the resumption of safety-related discovery for all intervenors to review Applicant's compliance with the NRC Action Plan Developed as a Result of the TMI-2 Accident (NUREG-0660); the Letter to All Licensees of Operating Plants and Applicants for Operating Licenses and Holders of Construction Permits, Dated September 5, 1980, from D.G. Eisenhut, Office of Nuclear Reactor Regulation; and with directives relating to Anticipated Transients without Scram (ATWS), interactions between control rod drive systems and non-essential control air systems, and varied and numerous other safety issues pertaining to Boiling Water Reactors which may have arisen or been exacerbated by reactor operating experiences by that uncertain future time. It will be well over two years, at the minimum, before the environmental phase has been completed from the time of the original filing of safety contentions in this proceeding, two years filled with events that the NRC had been confident in that innocent year of 1978 would never take place.

In addition, the ECNP intervenors are, as the Commission well knows, presently engaged in assisting the Commission to do the job it failed to do in the licensing of TMI in several other TMI-related administrative proceedings. The TMI-1 Restart hearings have just begun and are expected to continue in evidentiary session for some six months.

For these several reasons, the Applicant's motion should be denied. ECNP requests the Board, instead, to order a safety review as outlined above at the conclusion of the environmental phase and prior to resumption of discovery on safety issues.

Dated this 16th day
of October, 1980

Respectfully submitted,
Judith H. Johnsrud
Judith H. Johnsrud, Co-Director

² ECNP notes that ALAB-613 at p. 17, n. 15, states that the Board's action has "left the Coalition obligated to make discovery on only five contentions."

MOTION TO CERTIFY
U.S. Mail
all parties

CERTIFICATE OF SERVICE

I certify that copies of ECNP INTERVENORS'S RESPONSE TO APPLICANT'S MOTION TO RESUME DISCOVERY ON SAFETY ISSUES are being deposited in the U.S. Mail, first class, postage paid, this 16th day of October, 1980, to all parties in this proceeding.


Judith H. Johnsrud

Charles Bechhoefer, Esq.
Chairman, ASLB Panel
US Nuclear Regulatory Commission
Washington, DC 20555

Mr. Glenn O. Bright
ASLB Panel
US Nuclear Regulatory Commission
Washington, DC 20555

Dr. Oscar H. Paris
ASLB Panel
US Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing
Board Panel
US Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing
Appeal Board Panel
US Nuclear Regulatory Commission
Washington, DC 20555

James M. Cutchin V, Esq.
Office of the Executive Legal
Director
US Nuclear Regulatory Commission
Washington, DC 20555

Docketing and Service Section
Office of the Secretary
US Nuclear Regulatory Commission
Washington, DC 20555

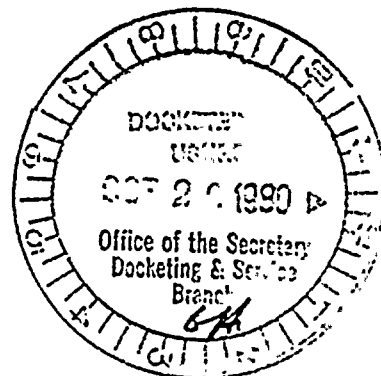
Gerald Schultz, Esq.
Susquehanna Environmental Advocates
500 South River Street
Wilkes-Barre, Pa. 18702

Mrs. Irene Lemanowicz
Citizens Against Nuclear Dangers
C/O Mr. Thomas Halligan
PO Box 5
Scranton, Pa.

Mrs. Colleen Marsh
558 A RD 4
Mountain Top, Pa. 18707

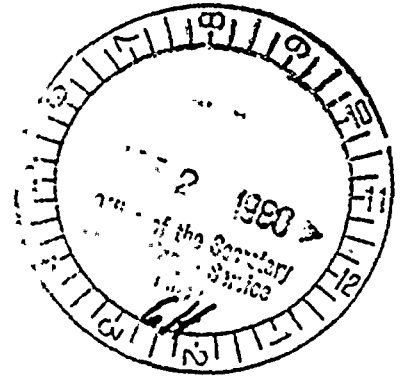
Mr. Thomas M. Gerusky
Bureau of Radiation Protection
Department of Environmental Resources
Commonwealth of Pennsylvania
PO Box 2063
Harrisburg, Pa. 17120

Jay Silberg, Esq.
Shaw, Potts, Pittman, and Trowbridge
1800 M St. NW
Washington, DC 20036



2-11-50
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100-100000

DOCKET NUMBER
PROD. & UTIL. FAC. 50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

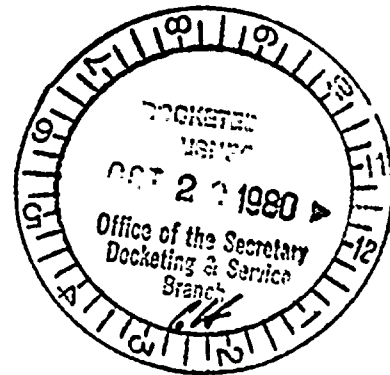
Thank You,

John Shearer
56 E. Union St.
Wilkes-Barre, Pa.
18702

10/20/80

DOCKET NUMBER
REG. & UTIL. SEC.

50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

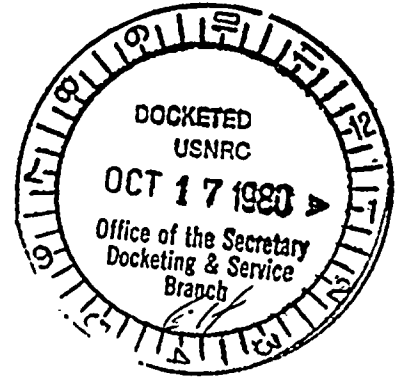
I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

Emily E. Considerie
KD2
Tunkhannock, Pa 18657

Acknowledged by card. 10/20/80

DOCKET NUMBER
PROD. & UTIL. FAC. 50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

A handwritten signature in cursive script, appearing to read "Charles W. Winters".

B.O. Box 252 Lake Ariel PA.

Acknowledged by card: 10/17/80

DOCKET NUMBER
PROD. & UTIL. FAC... 50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

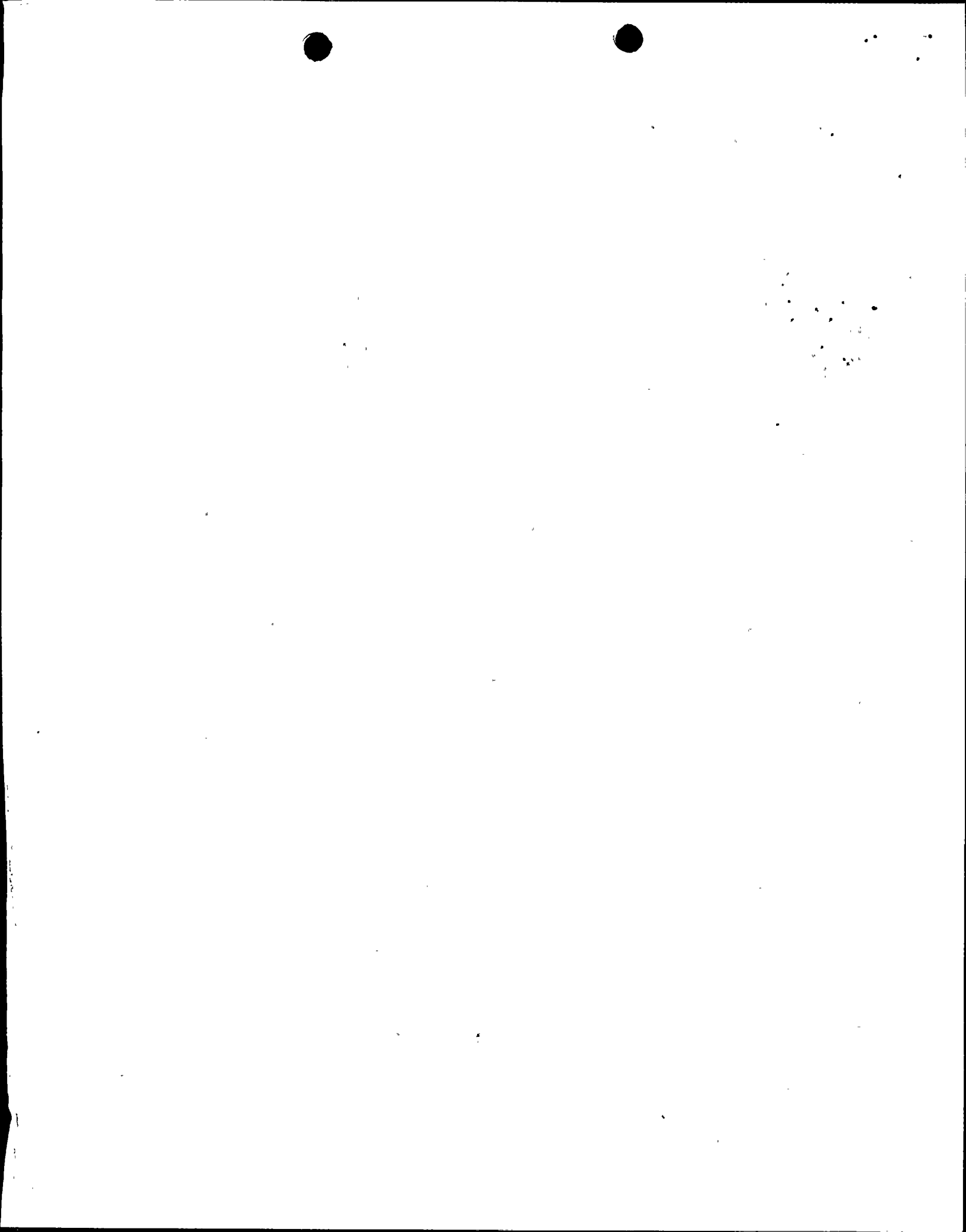
Mr. Chilk,

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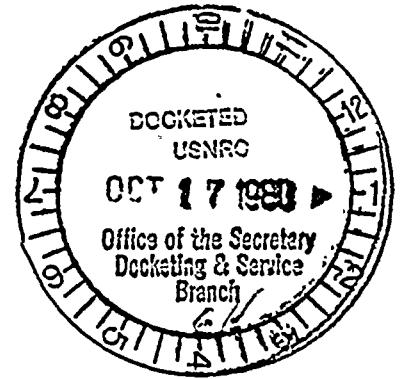
Thank You,

Jefferson B. Vitell
930 Dodson St
Bethlehem, Pa
18018

Acknowledged by card... 10/17/80...



DOCKET NUMBER 56-387/389
PROD. & UTIL. FAC...



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

John C. Boylan

PO Box 605,
Lewisburg, PA 17837

Acknowledged by card: *[Signature]*

DOCKET NUMBER
PROD. & UTIL. FAC. 54-387/385



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

Cathy Sullivan
P.O. Box 174
Berwick, PA
18603

Acknowledged by card: *[Signature]*

DOCKET NUMBER
PRGD. & UTIL. FAC. 50-387/338



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

Robert Ladd

D. ROBERT LADD
127 S. 3rd St.
Lewisburg PA 17837

[Handwritten signature]

DOCKET NUMBER
PROD. & UTIL. REG.

50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

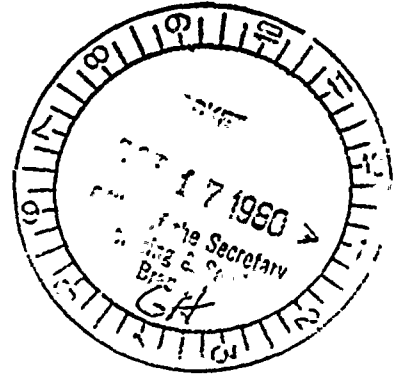
Thank You,

William I Chell

Box 68
Lawton, Pa
18828

Acknowledged by card. 12/12/80

DOCKET NUMBER
PROD. & UTIL. FAC... 50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited
Appearance Statement at the licensing hearing's for
Pennsylvania Power and Light's Nuclear Plant in Berwick,
Pennsylvania. Please inform me when and where these
hearings will take place, and when I will be able to speak.

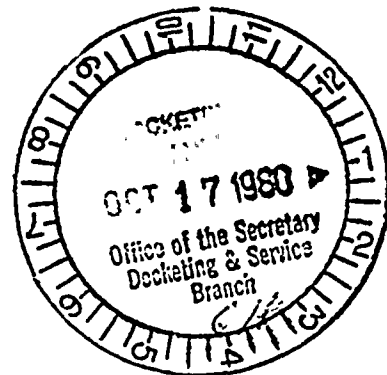
Thank You,

735 LAUFER ST.
BETH LEHEM, PA. 18015

Acknowledged by card... 10/17/80

DOCKET NUMBER
PROD. & UTIL. FAC...

50-387/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

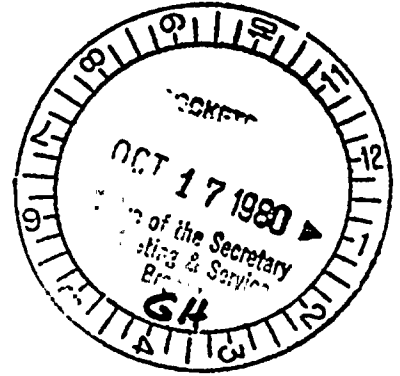
Thank You,

A handwritten signature in cursive script that reads "Ruta Noreika".

RUTA NOREIKA
127 So. Third St.
LEWISBURG PA 17837

Acknowledged by card... 10/17/80

DOCKET NUMBER *50-387/388*
PROD. & UTIL. FAC.....



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

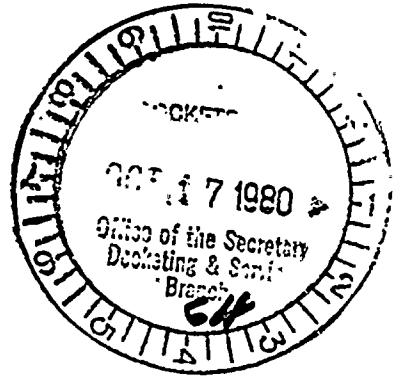
Thank You,

Patrick Hill
638 Orchard St
Scranton Pa.
18505

Acknowledged by card... *10/17/80* ...

DOCKET NUMBER
PROD. & UTIL. FAC.

370-382/388



Samual Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

Mr. Chilk,

I am writing to request time to make a Limited Appearance Statement at the licensing hearing's for Pennsylvania Power and Light's Nuclear Plant in Berwick, Pennsylvania. Please inform me when and where these hearings will take place, and when I will be able to speak.

Thank You,

Thomas P. Bresnan
24 So. 16th St.
Lewisburg PA 17837

Acknowledged by card... 10/12/80

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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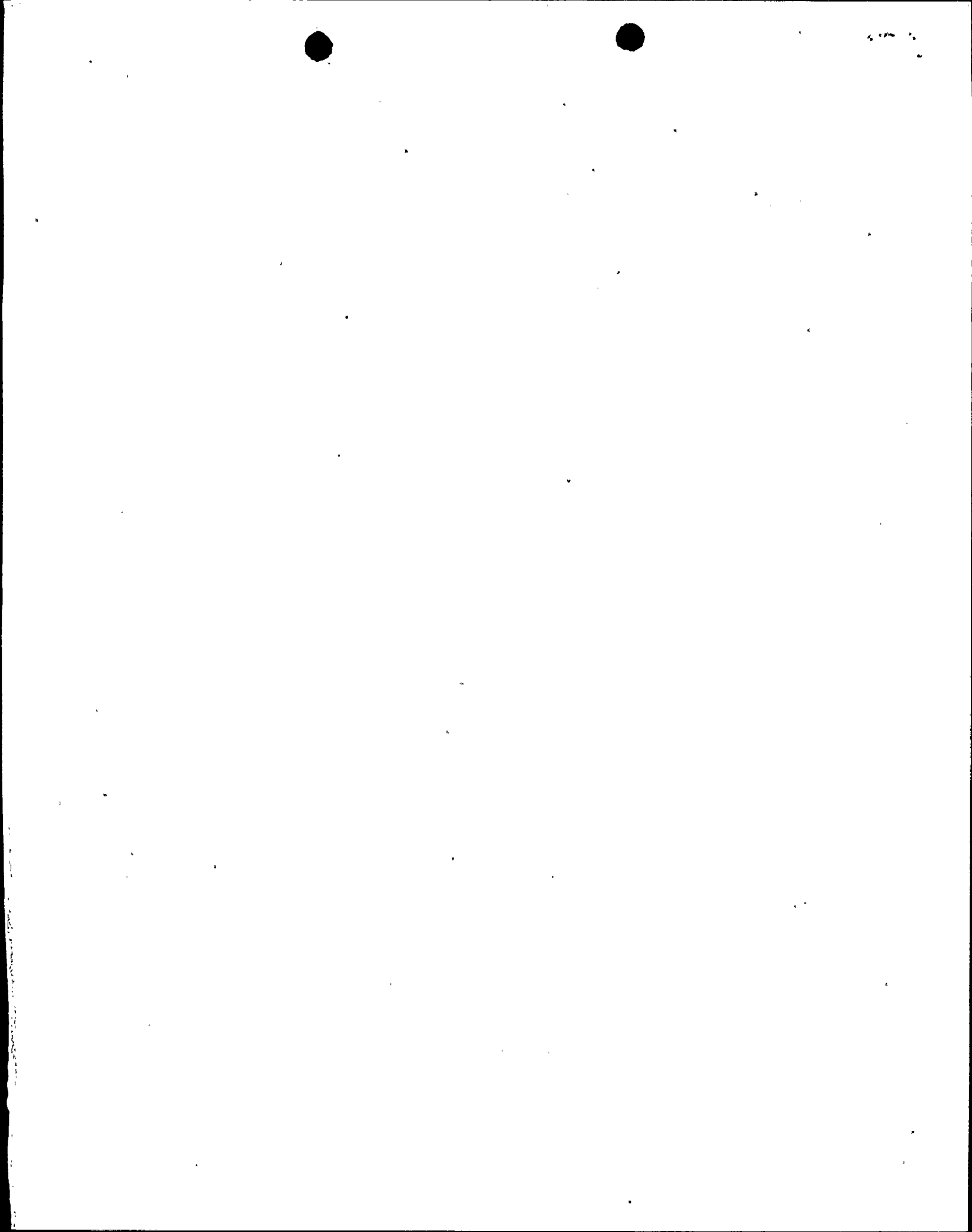
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) ⁴ 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
20th day of Oct 1980.

Richard T. Downing
Office of the Secretary of the Commission

412 limited appearance requests

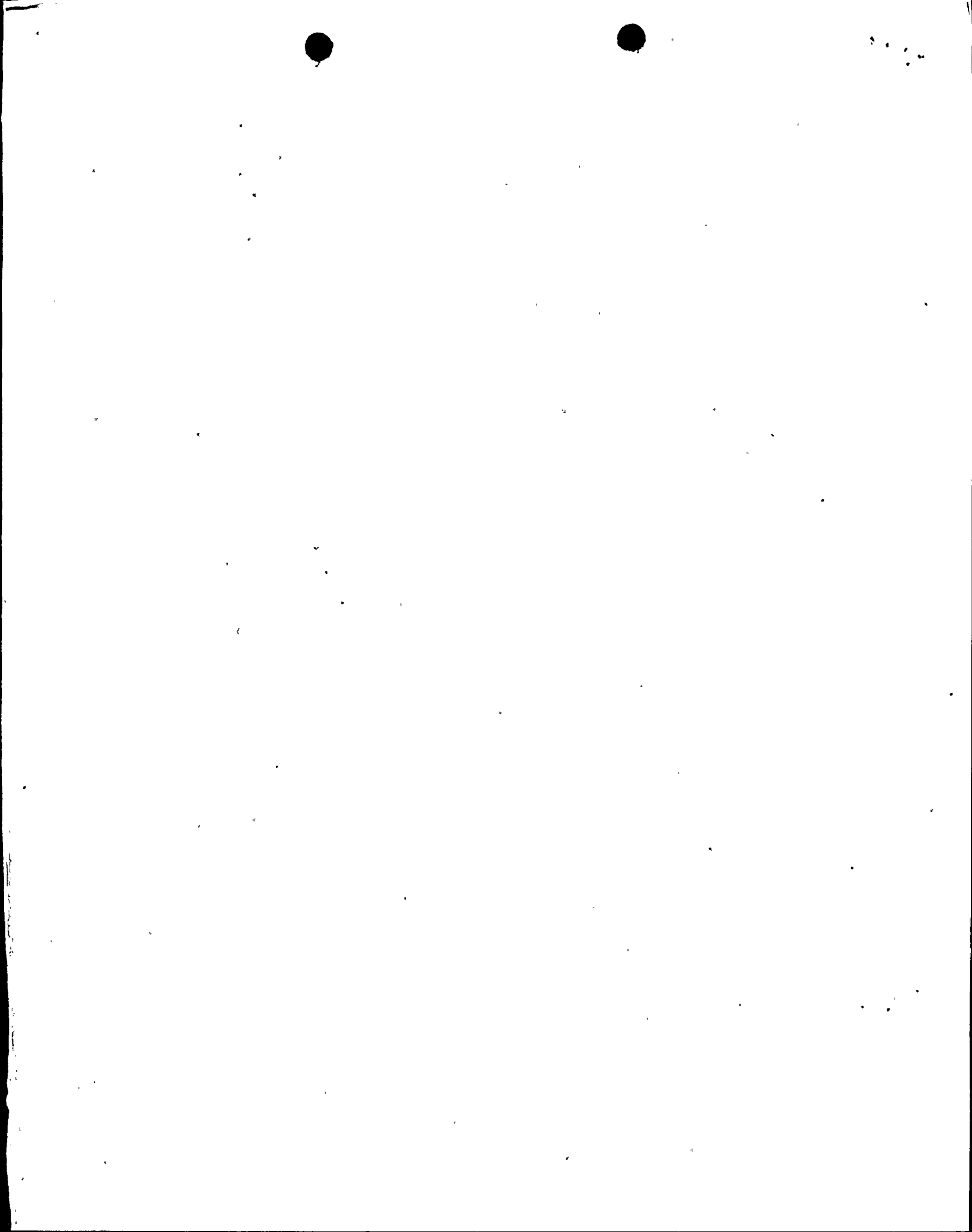


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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))

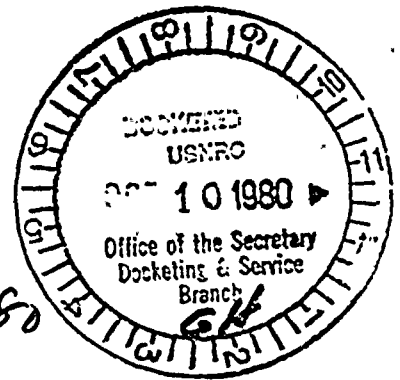
SERVICE LIST

Charles Bechhoefer, Esq., Chairman Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Dr. Judith H. Johnsrud Co. Director, Environmental Coalition on Nuclear Power 433 Orlando Avenue State College, Pennsylvania 16801
Mr. Glenn O. Bright Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Ms. Colleen Marsh 558A R.D. #4 Mount Top, Pennsylvania 18707
Dr. Oscar H. Paris Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Mr. Thomas J. Halligan Correspondent - CAND P.O. Box 5 Sacrannton, Pennsylvania 18501
Counsel for NRC Staff Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Gerald Schultz, Esq. Susquehanna Environmental Advocates 174 Machell Avenue Dallas, Pennsylvania 18612
Jay E. Silberg, Esq. Shaw, Pittman, Potts & Trowbridge 1800 "M" Street, N.W. Washington, D.C. 20036	Mr. Thomas M. Gerusky, Director Bureau of Radiation Protection Department of Environmental Resources Commonwealth of Pennsylvania P.O. Box 2063 Harrisburg, Pennsylvania 17120
Pennsylvania Power and Light Company ATTN: Mr. Norman W. Curtis Vice President - Engineering and Construction 2 North Ninth Street Allentown, Pennsylvania 18101	Albert E. Vogel, Jr., Esq. Assistant Attorney General Dept. of Environmental Resources P.O. Box 2357 Harrisburg, Pennsylvania 17120



DOCKET NUMBER
PROD. & UTIL. FAC.

50-387/388



Samuel Chilk, Secretary
Docketing & Service Branch
U. S. Nuclear Regulatory Commission
Washington DC 20555

10-10-80

Dear Mr. Chilk:

I am writing to request time to make a Limited Appearance Statement at the licensing hearings for Pennsylvania Power and Light's Susquehanna Steam Electric Stations 1 and 2 now under construction in Berwick, Pennsylvania (Docket numbers: 50-387 and 50-388).

Please inform me when and where these hearings will take place and when I will be able to speak. I also would like to request that time be made available in the evenings and/or on weekends for these statements to insure greater public input.

Thank you. I look forward to hearing from you soon.

Sincerely yours,

Hans M. Wuerth

Hans M. Wuerth
HANS M. WUERTH
40 E. North St.
Bethlehem, Pa. 18018

Acknowledged by card... 10/10/80...

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

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
10th day of Oct 1970.

Peggy K. Sawing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

PENNSYLVANIA POWER AND LIGHT)
COMPANY, ET AL.)

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

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

SERVICE LIST

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

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

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

Counsel for NRC Staff
Office of the Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

Pennsylvania Power and Light Company
ATTN: Mr. Norman W. Curtis
Vice President - Engineering
and Construction
2 North Ninth Street
Allentown, Pennsylvania 18101

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

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

Mr. Thomas J. Halligan
Correspondent - CAND
P.O. Box 5
Sacranon, Pennsylvania 18501

Gerald Schultz, Esq.
Susquehanna Environmental Advocates
174 Machell Avenue
Dallas, Pennsylvania 18612

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

Albert E. Vogel, Jr., Esq.
Assistant Attorney General
Dept. of Environmental Resources
P.O. Box 2357
Harrisburg, Pennsylvania 17120