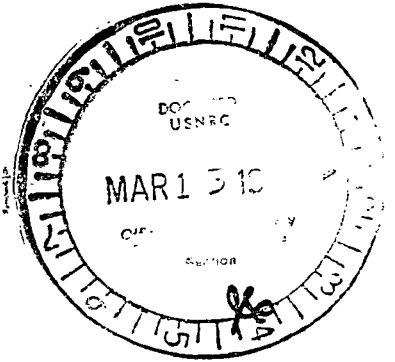


Reg. File

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



3/7/78

IN THE MATTER OF)

DOCKET NO. 50-272

PUBLIC SERVICE ELECTRIC)

AND GAS COMPANY, ET AL.)

(SALEM NUCLEAR GENERATING)
STATION, UNIT 1))

PETITION OF STATE OF NEW JERSEY FOR LEAVE TO INTERVENE

1. The State of New Jersey, pursuant to 10 C.F.R. § 2.715(c), hereby petitions the United States Nuclear Regulatory Commission for leave to intervene in the application of Public Service Electric & Gas Co., et al., for the issuance of an amendment to Facility Operating License No. DPR-70 for the Salem Nuclear Generating Station, Unit No. 1, which if issued would permit the increase in fuel storage capacity from 264 to 1170 fuel assemblies in the spent fuel pool of that facility.

2. Salem Nuclear Generating Station, Unit No. 1, is situate within the territorial boundaries of the State of New Jersey. Accordingly, the State of New Jersey is an interested State.

Acknowledged by card... 3/16/78

3. In filing the within petition, the State of New Jersey is not requesting the Nuclear Regulatory Commission to convene a hearing under this docket. Rather, the State of New Jersey wishes to preserve its rights to participate as an interested State should a hearing be convened. In addition, regardless of whether a hearing is convened the State of New Jersey respectfully requests that it be kept fully apprised of the review undertaken by the Nuclear Regulatory Commission of the proposed amendment to Facility Operating License No. DPR-70.

Respectfully submitted,

JOHN J. DEGNAN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for State of New Jersey

By Mark L. First
Mark L. First
Deputy Attorney General

STATE OF NEW JERSEY)

SS.

COUNTY OF MERCER)

MARK L. FIRST, of full age, being duly sworn according to law, upon his oath deposes and says:

1. I am the attorney for the petitioner in the foregoing petition.

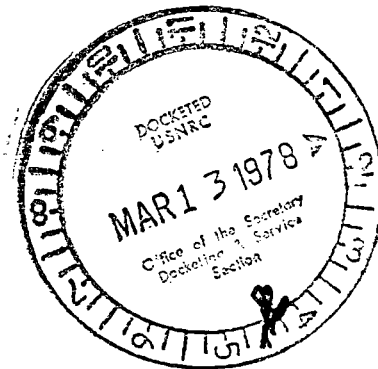
2. The facts as set forth in the foregoing petition are true.

Mark L. First

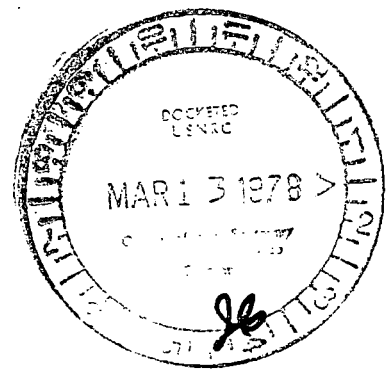
Mark L. First
Deputy Attorney General

Subscribed and sworn to
before me this *7th* day
of March 1978.

Lawrence E Stanley
Attorney at Law
of N. J.



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



IN THE MATTER OF)

PUBLIC SERVICE ELECTRIC) DOCKET NO. 50-272

AND GAS COMPANY, ET AL.)

(SALEM NUCLEAR GENERATING)
STATION, UNIT 1))
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the Petition of State
of New Jersey for Leave to Intervene were served upon the persons
listed below by deposit in the United States Mail, postage pre-
paid, this 7th day of March 1978.

U. S. Nuclear Regulatory Commission
Docketing & Service Section
Washington, D. C. 20555

Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Troy B. Conner, Jr., Esq.
1747 Pennsylvania Ave., N.W., Suite 1050
Washington, D. C. 20006

Subscribed and sworn to
before me this 7th day
of March 1978.

Mark L. First
Mark L. First

Lawrence E. Stanley
Attorney at Law
J. H. J.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In The Matter Of)
)
PUBLIC SERVICE ELECTRIC &)
GAS COMPANY)
)
(Salem Generating Station,)
Unit #1))

DOCKET NO. 50-272

PETITION FOR LEAVE TO INTERVENE BY THE
TOWNSHIP OF LOWER ALLOWAYS CREEK

I. Public Service Electric and Gas Company, herein-
after referred to as "Licensee", has applied for an
amendment to its facility operating license #DPR-70 by
application for increased capacity fuel racks dated
November 18, 1977 supplemented by request for amendment
facility operating license #DPR-70 dated December 13,
1977. Notice of said application, dated January 13,
1978, was given by the Nuclear Regulatory Commission.

II. Petitioner is a Municipal Corporation in the
County of Salem and of the State of New Jersey. It shall
hereinafter be referred to as "Municipality".

III. Said Municipality consists of approximately 45.7 square miles of land and contains a population of approximately 1,600 persons.

IV. Said Municipality is the site for Salem Generating Station, Unit #1, for which said facility operating license amendments have been requested by Licensee.

V. Said Municipality is charged with the protection of persons and property and with the preservation of the public health, safety and welfare of the Municipality and its inhabitants.

VI. The governing body of said Municipality by resolution authorized the Municipality to intervene in this proceeding.

VII. Said Municipality has retained the services of Dr. John Lamarsh, a Nuclear Engineer, in order to assist it in evaluating said application for amendment and for intervening in this proceeding in order to assure the protection of persons and property and the preservation of the public health, safety and welfare of the Municipality and its inhabitants.

VIII. Service in this proceeding may be made on Municipality by serving its attorney, William C. Horner, 67 Market Street, Salem, New Jersey 08079.

IX. In order to meet the deadline for filing this Petition for Leave to Intervene the Municipality lists herein its contentions at present, but reserves the right and requests that it be permitted to amend this Petition and to add new contentions upon receiving further reports from Dr. Lamarsh and upon receiving further information through discovery and otherwise, including the hearings in this proceeding. The contentions at this time are as follows:

1. The Licensee has not considered in sufficient detail possible alternatives to the proposed expansion of the spent fuel pool. Specifically, the Licensee has not established that spent fuel cannot be stored at another reactor site. Also while the GESMO proceedings have been terminated, it is not clear that the spent fuel could not by some arrangement with Allied Chemical Corp. be stored at the AGNS Plant in Barnwell, South Carolina. Furthermore, the Licensee has not explored nor exhausted

the possibilities for disposing of the spent fuel outside of the U.S.A.

2. The reactor site on Artificial Island was originally approved and the Licensee was granted NRC permits and licenses to build and operate a nuclear facility for the production of electric power not for the purpose of storing spent fuel. Indeed, it was on this basis that the Township of Lower Alloways Creek issued a Certificate of Occupancy to the Licensee. In its application to enlarge its spent fuel pool, the Licensee has not established that it is not its intention to build additional spent fuel capacity even at such time as other repositories have become available. The Licensee should be required to assure that it will not convert the reactor site into a permanent repository for spent fuel.

3. While the Licensee has requested increased spent fuel storage capacity at its Salem Unit 1 it has not limited the use of such storage facility to fuel removed from Salem Unit 1. Storage of spent fuel from other units on or off Artificial Island therefore is a

possibility and such storage creates many hazards not analyzed by the Licensee in its application. Included among these hazards are those created by unloading spent fuel casks.

4. The Licensee has failed to demonstrate that the spent fuel can, in fact, be stored in the spent fuel pool for the contemplated period, or what may actually turn out to be a longer period, without deterioration and release of fission products.

5. The Licensee has not established in its application precisely what would be done with spent fuel assemblies if, because of corrosion or other reasons, one or more assemblies began to leak fission products.

6. The Licensee has failed to address the issue of the consequences of sabotage on the spent fuel pool, consequences which could be more severe in view of the higher fuel loading of the pool. Further, in this regard, the Licensee has not considered the need for increased surveillance or other security measures which should be required in view of the larger amount of fuel in the pool.

7. The Licensee has failed to consider the impact on the spent fuel cooling system of the increased cooling required with the pool filled to capacity with spent fuel. Further, the Licensee has not shown what effect the increased heat load will have on the Delaware River.

8. The Licensee has failed to demonstrate that increased reliance on the Residual Heat Removal System to provide coolant for the spent fuel under the proposed modification would not lessen the ability of that system to perform its safety functions while serving as a backup heat sink for the spent fuel.

9. Although the manufacturer of the spent fuel pool racks has a quality assurance program to guarantee that proper Boron plates have been used in the racks, the Licensee has failed to establish that it plans to undertake an independent verification of the rack construction. As a consequence, the Licensee plans to load fuel into racks whose material structure is only assumed, not known to Licensee. As an independent check on both structure of the racks and on the neutronics calculations of the multiplication factor, the Licensee should be

required to perform a 1/M multiplication experiment whenever loading new or spent fuel into the racks.


10. While the Licensee plans an in-pool surveillance program for verifying the condition of the Boral by removal and inspection of prototypical Boral sheets, no schedule for such surveillance is established.

11. The Licensee has not addressed the increased risk of consequences from releases of radioactivity or criticality occurring in the modified spent fuel pool due to an accident resulting from projectiles generated by natural events, such as earthquakes or tornadoes, or by mechanical failure, such as turbine failure.

WHEREFORE, Petitioner, Lower Alloways Creek Township, respectfully requests that it be granted leave to intervene in this proceeding. Petitioner also requests that it be permitted to amend this Petition and to add new contentions within a reasonable time.

Dated: March 9, 1978 LOWER ALLOWAYS CREEK TOWNSHIP

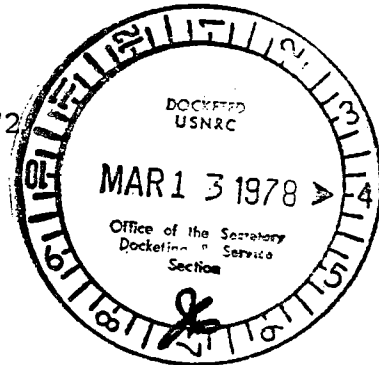
BY:


WILLIAM C. HORNER
Its Attorney
67 Market Street
Salem, NJ 08079

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF)
PUBLIC SERVICE ELECTRIC)
& GAS COMPANY)
(Salem Generating Station,)
Unit #1))

DOCKET NO. 50-272



AFFIDAVIT IN SUPPORT OF PETITION FOR LEAVE TO INTERVENE
BY THE TOWNSHIP OF LOWER ALLOWAYS CREEK

SAMUEL E. DONELSON, being duly sworn according to law, deposes and says:

1. I am a duly elected member of the Township Committee of the Township of Lower Alloways Creek. I am also the Mayor of said Municipality and am authorized on behalf of the Township of Lower Alloways Creek to make this Affidavit.

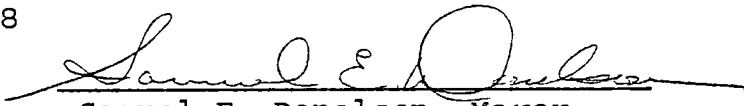
2. To the best of my information, knowledge and belief the facts set forth in the foregoing PETITION FOR LEAVE TO INTERVENE and the contentions contained therein are true and correct.

3. The aspect of the proceeding as to which intervention is desired is the request by licensee


for an amendment to its Facility Operating License No. DPR-70 by application for increased capacity fuel rods dated November 18, 1977 supplemented by request for an amendment Facility Operating License No. DPR-70 dated December 13, 1977.

4. The facts relied upon as to both interest and contentions are set forth in the foregoing Petition For Leave To Intervene, all of which are true and correct to the best of my information, knowledge and belief and I adopt them as my own statements.

DATED: March 9, 1978

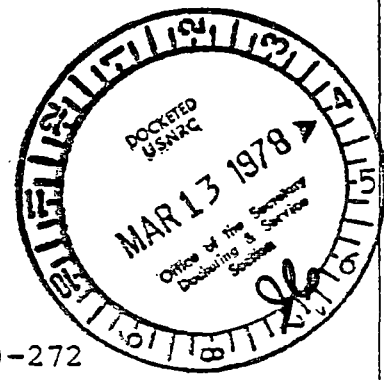

Samuel E. Donelson, Mayor
Township of Lower Alloways
Creek

Sworn and Subscribed to
before me this 9th day
of March, 1978



NOTARY PUBLIC OF NEW JERSEY
My Commission Expires February 9, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In The Matter Of)

PUBLIC SERVICE ELECTRIC &)
GAS COMPANY)

DOCKET NO. 50-272

(Salem Generating Station,)
Unit #1))

NOTICE OF APPEARANCE

NOTICE is hereby given that the undersigned attorney here-
with enters an appearance in the captioned matter. In accordance
with §2.713(a), 10 CFR Part 2, the following information is
provided:

NAME

William C. Horner

ADDRESS

67 Market Street
P. O. Box 66
Salem, NJ 08079

TELEPHONE NUMBER

(609) 935-0958


ADMISSIONS

Supreme Court of New Jersey
Supreme Court of California
United States District Court for
the District of New Jersey
United States District Court for
the District of Northern California

NAME AND ADDRESS
OF PARTY

Lower Alloways Creek Township
c/o Michael H. Facemyer, Clerk
Municipal Building
Hancock's Bridge, NJ 08038

Dated: March 9, 1978


William C. Horner, Attorney for
Lower Alloways Creek Township

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In The Matter Of)
)
PUBLIC SERVICE ELECTRIC &)
GAS COMPANY) DOCKET NO. 50-272
)
(Salem Generating Station,)
Unit #1))

CERTIFICATE OF SERVICE

I certify that copies of the NOTICE OF APPEARANCE, PETITION FOR LEAVE TO INTERVENE FOR LOWER ALLOWAYS CREEK TOWNSHIP and AFFIDAVIT by Samuel E. Donelson have been served upon the below listed persons by ordinary mail on Thursday, March 9, 1978 and those persons are:

Troy B. Conner, Jr., Esq.
Suite 1050
17 Pennsylvania Avenue, N.W.
Washington, D. C. 20006

Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dated: March 9, 1978

William C. Horner
William C. Horner, Attorney for
Lower Alloways Creek Township



State of New Jersey

DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF PUBLIC INTEREST ADVOCACY

P. O. BOX 141

TRENTON, NEW JERSEY 08601

STANLEY C. VAN NESS
PUBLIC ADVOCATE



ARTHUR PENN
DIRECTOR
TEL. 609-292-1692

March 10, 1978

Dr. Edson Case
Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In re: Salem Nuclear Generating Station,
Unit No. 1 (Public Service Electric &
Gas Co.), (proposed issuance of amendment
to facility Operating License),
Docket No. 50-272

Dear Dr. Case and Mr. Lear:

The Nuclear Regulatory Commission ("NRC") announced in the Federal Register on February 8, 1978, that it is considering issuance of an amendment to the Salem Operating License ("OL") which would permit the operator, Public Service Electric and Gas Company ("PSE&G") to increase the capacity for on-site spent fuel storage from 264 to 1170 fuel assemblies. 43 F.R. 5443. The period for storage would also be lengthened from the present 1 year to 15 years, or until 1993. The final date for the filing of petitions to intervene was listed as March 10, 1978.

Since the publication of notice, however, the NRC has

Acknowledged by card 3/16/78

Dr. Edson Case and
Mr. George Lear

- 2 -

March 10, 1978

announced that it will conduct an informal "public information meeting" in Salem, New Jersey, in the vicinity of the facility, on March 15, 1978. The purpose of the meeting, according to representatives of the NRC's Office of Congressional Liason, is to acquaint the public with the applicant's petition and the proposed NRC response. More importantly, the meeting will provide the first opportunity for interested residents to question the NRC on the factual and policy matters underlying the PSE&G application.

Obviously, the public can expect to discover a great deal about the possible impact of the proposed action on their lives at this meeting. While the Public Advocate endorses this example of public awareness, we are concerned with the implication of its timing. Since the meeting will occur five (5) days after the tolling of the time for submitting petitions to intervene, the public is placed in a difficult position. Either concerned citizens must file petitions on a matter of great technical and legal complexity without the benefit of a public encounter with agency representatives, or they must forego intervention in hopes that the meeting will answer their questions and satisfy their interests. If the meeting does not meet their needs, they will be faced with the prospect of filing late petitions which, under the rules of the Commission, are unacceptable unless "good cause" is shown. 10 C.F.R. 2.714(a)(1) to (4).

Since individual citizens are likely to be without counsel at this stage, meeting this burden is potentially beyond their means. Certainly, it will require, at a minimum, substantial effort on their part, together

Dr. Edson Case and
Mr. George Lear

- 3 -

March 10, 1978

with time and cost to the Commission, any duly appointed Atomic Safety and Licensing Board, the Office of the Executive Legal Director, as well as counsel to the utility, who will have to respond. In short, the Commission can avoid a waste of effort and resources by extending the period allowed for intervention.

Moreover, since there are no fuel assemblies anticipated for unloading before "the first quarter of 1979,"* there would be no apparent prejudice to the utility if the time for filing petitions is reasonably extended beyond March 15th. In our view, the Commission should authorize an extension of not less than twenty-one (21) days after the March 15th meeting or until April 5, 1978 for the filing of timely petitions. This will save the Commission, the utility and members of the public considerable time and expense. It can only lead to the filing of more artful petitions by those still interested after March 15, 1978, and could well result in some citizens not filing or withdrawing petitions if their concerns are satisfied at the meeting. In short, an extension to April 5, 1978 will serve the public interest, while a decision to hold inflexibly to the March 10, 1978 deadline will only lead to confusion, expense and a loss of faith with the public.

Accordingly, the Public Advocate respectfully requests an

*See letter of November 18, 1977, Mr. Frank P. Librizzi to Mr. George Lear, Chief, Operating Reactors Branch #3, Division of Operating Reactors

Dr. Edson Case and
Mr. George Lear

- 4 -

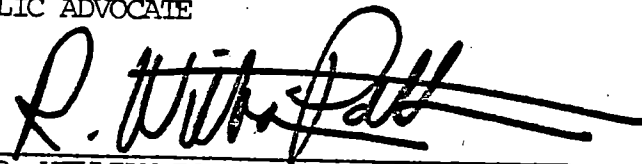
March 10, 1978

extension of time for the filing of petitions to intervene and request a public hearing. All those who had filed previously should be permitted to amend their petitions unilaterally within the same time.

Very truly yours,

STANLEY C. VAN NESS
PUBLIC ADVOCATE

By:



R. WILLIAM POTTER
Assistant Deputy Public Advocate

RWP/db

cc: Secretary of the Commission
Executive Legal Director
Barry Smith, Esquire
Troy B. Conner, Esquire

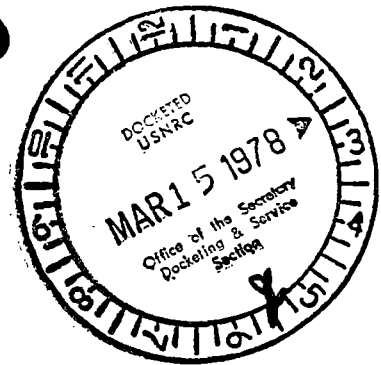
Al and Eleanor Coleman
Michael DiBernardo
William C. Horner, Esquire
Daniel A. Rita
Isabel Sayen

Honorable Martin A. Herman
Honorable William J. Hughes
Honorable James J. Florio

Honorable Rocco D. Ricci
Honorable Joel Jacobson

35 "K" Drive
Pennsville, N. J. 08070

March 11, 1978



Secretary, U. S. Nuclear Regulatory Commission
Attention Chief Docketing and Service Section
Washington, D. C. 20555

**PUBLIC SERVICE ELECTRIC & GAS (PSE&G) APPLICATION DOCKET NO. 50-272
DATED 11-18-77 INCREASED CAPACITY, SPENT FUEL RACKS, UNIT I.
SALEM GENERATING STATION.**

This letter confirms our two mailgrams of March 9 as permitted in the code of federal regulations (10 CFR) regarding petition to enjoin and petition for leave to intervene in the subject application.

There has been much confusion as to who could or would file a petition on behalf of the many persons concerned about the above subject.

On February 27, 1978 we officially requested (by letter) legal counsel and technical assistance from the N. J. Office of Public Advocate. We received a telephone call from the N. J. Office of Public Advocate Friday, March 3 inquiring about our request which they seemed to have trouble locating. Other requests we knew had been sent to their office even before ours, could not be located at the time of the March 3 telephone call. We duplicated our letter and got a copy of one of the other requests made by the Utility Users for Reasonable Rates (UURR) and had these 2 requests hand carried to the N. J. Office of Public Advocate.

On March 9, we received another telephone call from the Office of Public Advocate advising us it would be impossible for them to get a petition for intervention on our behalf completed for submission by the proper filing date. We decided to make the attempt on our own and in good faith are requesting an extension to the March 10 deadline for submission of these petitions. We are diligently seeking qualified legal counsel and technical assistance and request the 30-day extension we are seeking begin after receipt of your decision. This extension would enable us to accomplish the necessary format necessary for intervention. We feel our best source of help should come from an agency designated to represent citizens in a fair way; consequently, our request to the N. J. Office of Public Advocate. We would, naturally prefer to avoid any possible conflicts of interest that might be incurred with qualified legal counsel, but will pursue the best means available to us to comply with your regulations. Until we have secured legal counsel and qualified technical assistance, we request these petitions not be limited in scope to the contentions attached.

Later that same day (March 9) we received a telephone call from the office of Assemblyman Martin A. Herman, advising us a letter from the Office of Public Advocate dated March 9 would be in the mail to the NRC requesting an extension of the March 10 filing deadline.

2.
PSE&G Application, November 18, 1977

The delay in availability of the PSE&G November 18 application in the Salem, N. J. Public Library Document Room and the supplement letter dated December 13, 1977 (received March 10 from the applicant) has made evaluation of the subject difficult.

There is also the matter of the Commission's Safety Evaluation and Environmental Impact appraisal not yet completed. This is another reason why the filing date should be extended.

Rumors of an extension of the deadline (March 10) and a March 9 (Atlantic City Press) newspaper article in which Congressman Hughes stated the extension had been granted, led us to verify the accuracy of this extension so we might better be able to accommodate the NRC through the proper channels. When we learned from the NRC counsel this extension had not been granted, action in the way of these petitions was begun immediately.

We are indeed grateful for the upcoming NRC information meeting to be held in Lower Alloways Creek March 15, 1978 at 7:00 p.m. However, we feel this meeting would better serve the public if it had been held prior to the filing date. Since it was not, the next best thing would be to extend the filing time.

As ratepayers of Atlantic Electric Company and stockholders of all four utilities (PSE&G, Philadelphia Electric, Atlantic Electric and Delmarva Power & Light) who share in the financial burden and moral obligations and responsibilities associated with PSE&G's application, and as concerned citizens who wish to protect not only our own lives and possessions, but also that of our loved ones, and to enable all who share our concern to make "limited appearance" and to create the public airing of the implications of this application that will become a part of the "official" record, we respectfully submit the attached petitions for your consideration and timely decision regarding deadline of extension, and approval to enjoin and intervene.

Very truly yours,

Eleanor G. Coleman *Eleanor G. Coleman*
Alfred C. Coleman *Alfred C. Coleman Jr.*

CC: NRC Executive Legal Director Barry Smith, Esquire
Troy B. Conner, Esquire

Congressman William J. Hughes
Congressman James J. Florio
Senator Clifford Case
Senator Harrison A. Williams
Assemblyman Martin A. Herman
Assemblyman Donald Stewart
Senator Raymond Zane
Stanley Van Ness
William Potter) In Turn Office of Public Advocate

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

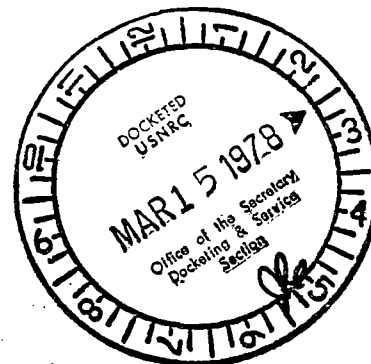
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1 6096787125 MGM TDMT PENNSVILLE NJ 03-09 1052P EST

ALFRED C COLEMAN JR
35 K DR
PENNSVILLE NJ 08070



THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

6096787125 MGM TDMT PENNSVILLE NJ 100 03-09 1052P EST

ZIP
SECRETARY US NUCLEAR REGULATORY COMMISSION
ATTN CHIEF DOCKETING AND SERVICE SECTION
WASHINGTON DC 20555
AUTHORITY FOR THIS REQUEST IS GRANTED BY ATOMIC ENERGY ACT OF 1954 AS
AMENDED PART 2 .708 (F) OF TITLE 10 CFR AND SETFORTH IN PART 2 .202 AND
2.206 PETITION TO ENJOIN APPLICATION PSE AND G INCREASED CAPACITY SPENT
FUEL RACKS DOCKET #50-272 UNTIL FINAL DISPOSITION PENDING DOCKET
#RM-50-3. WE ARE FILING INTERIM PETITION AND DILIGENTLY SEARCHING FOR
QUALIFIED LEGAL COUNSEL FOR PROPER SUBMISSION

ALFRED C COLEMAN JR
ELEANOR G COLEMAN

22:53 EST

MGMCOMP MGM

PUBLIC SERVICE ELECTRIC & GAS (PSE&G) APPLICATION - DOCKET NO. 50-272
DATED 11-18-77 INCREASED CAPACITY, SPENT FUEL RACKS, UNIT I
SALEM GENERATING STATION

PETITION TO U. S. NUCLEAR REGULATORY COMMISSION TO ENJOIN THIS PROCEEDING

We contend that the decision on this application by the U. S. NRC is untimely and not in the best interest of the public or the residents who live in the vicinity of the Salem 1 Nuclear Generating Station.

The decision on this application should be set aside until the final disposition of pending Docket Number RM 50-3 concerning Nuclear waste (including spent fuel) is made.

Eleanor G. Coleman

Eleanor G. Coleman

Alfred G. Coleman
3-11-78

STATE OF New Jersey

COUNTY OF Salem

CITY OF Pennsville

We, Eleanor G. Coleman and Alfred C. Coleman, Jr., do swear that the statements in this Petition to Enjoin are true, to the best of our knowledge, information and belief.

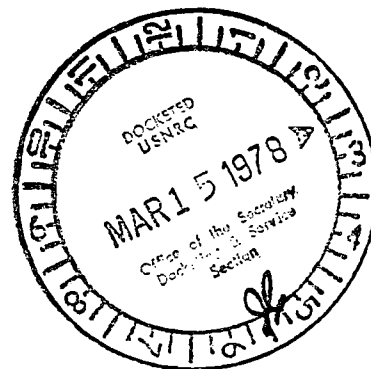
Alfred C. Coleman Jr.
Alfred C. Coleman, Jr.

Eleanor G. Coleman
Eleanor G. Coleman
35 "K" Drive
Pennsville, N. J. 08070

Sworn and subscribed to
before me this 11th day
of March, 1978.

Russell H. Ahlquist

RUSSELL H. AHLQUIST
NOTARY PUBLIC OF NEW JERSEY
Commission Expires September 6, 1982



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6096787125 MGM TDMT PENNSVILLE NJ 100 03-09 1057P EST

DOCKET NUMBER

PROD. & UTIL. FAC. 50-272, 311

SECRETARY US NUCLEAR REGULATORY COMMISSION
ATTN CHIEF DOCKETING AND SERVICE SECTION
WASHINGTON DC 20555



AUTHORITY FOR THIS REQUEST IS GRANTED BY THE ATOMIC ENERGY ACT OF 1954
AS AMENDED PART 2.708 (F) OF TITLE 10 CFR AND SETFORTH IN PART 2.714
PETITION FOR LEAVE TO INTERVENE APPLICATION PSE AND G INCREASED
CAPACITY SPENT FUEL RACKS DOCKET #50-272 POSES UNDUE THREAT TO OUR
LIVES AND MATERIAL POSSESSIONS. WE ARE FILING INTERIM PETITION AND
DILIGENTLY SEARCHING FOR QUALIFIED LEGAL COUNSEL FOR PROPER SUBMISSION

ALFRED C COLEMAN JR
ELEANOR G COLEMAN

22:57 EST

MGMCOMP MGM

PUBLIC SERVICE ELECTRIC & GAS (PSE&G) APPLICATION - DOCKET NO. 50-272
DATED 11-18-77, INCREASED CAPACITY, SPENT FUEL RACKS, UNIT I
SALEM GENERATING STATION

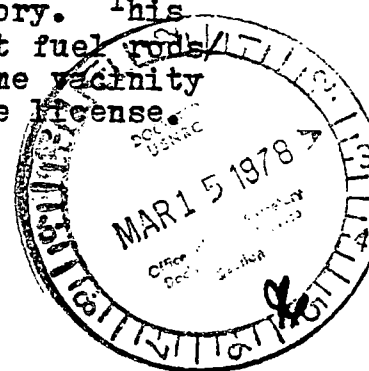
PETITION THE U. S. NRC FOR LEAVE TO INTERVENE TO HOLD A PUBLIC HEARING
IN THE COUNTY OF SALEM, NEW JERSEY, CITY OF SALEM

The authority for this request is granted in the Atomic Energy Act of 1954 as amended, Part 2.714 of Title 10 of the Code of Federal Regulations.

In light of 4 such atomic generating stations in the same vicinity, the increase in capacity in storage of spent fuel assemblies at Salem I poses an undue threat to our lives as well as the lives and material possessions of our children and future generations.

This petition is based on the following contentions.

1. Petitioners contend this is a significant rack design modification and significantly increases the number of spent fuel rods and/or assemblies and presents an unreasonable risk of radiation release and contamination of the surrounding area.
2. Petitioners contend that there are discrepancies in the determination of the lithologic, stratigraphic, hydrologic, seismology and structural geologic conditions of the site on which this spent fuel facility is located and consequently applies to multiple facilities.
3. Petitioners contend the NRC, by its own admission, January 1, 1978 NUREG 0410, first annual report to Congress entitled "NRC Programs for the resolution of Generic Issues and Unresolved Safety Issues Related to Nuclear Power Generating Plants," plans address "high priority" includes increases in spent fuel storage capacity. We interpret this to mean there are unresolved generic and safety issues.
4. Petitioners contend that lack of extended experience with modified racks and recommended configuration with possible storage of foreign (non U.S.) spent fuel assemblies, normal and defective, presents an unreasonable risk of radiation release and contamination of surrounding area of this facility and/or multiple facilities in the same vicinity.
5. Petitioners contend that increased density, 264 to 1170 assemblies has yet to be tested for additional heat load and ultimate effect on inventory and racks.
6. Petitioners contend that there is no assurance of commercial reprocessing or off-site interim or permanent repository. This increased density and/or capacity for storage of spent fuel rods/assemblies, plus 3 other storage facilities in the same vicinity constitutes a waste repository and requires a separate license.



Petition the U.S. NRC for Leave to Intervene to Hold a Public Hearing in the County of Salem, New Jersey, City of Salem

7. Petitioners contend that for the subject storage facility plus 3 other such storage facilities in the same vicinity, applicant must prove beyond a reasonable doubt their ability to handle channeled and unchanneled fuel and fuel with burnable poison rods inserted in the assemblies.
8. Petitioners contend that the applicant must demonstrate access to a "safe and final" method of storing high-level radioactive waste.
9. Petitioners contend that the applicant has not demonstrated methods of handling emergency situations such as leaking fuel and ability to predict future fuel designs, isotopic burnup prospects that fuel cladding might degrade, which could lead to radiation releases and its effect on the surrounding environment as well as the work force at Salem 1 site and/or other 3 storage facilities in the same vicinity.
10. Petitioners contend that the NRC Safety Evaluation and Environmental Impact appraisal is not yet available for Salem I and further contend it does not take into consideration the 3 other storage facilities in the same vicinity. Environmental Impact statements are made on single units. To our knowledge none has been done on a combination of 4 which is the case on Artificial Island.
11. Petitioners contend that the behavior of spent nuclear fuel in water pool storage, preception based principally on visual observations, during fuel handling operations and on visual portions of the bundles during storage is not valid, lacks credibility and lends no assurances to residents and surrounding environment. Further surveys based on visual observation of degradation and limited radiation monitoring are here again based on single storage facilities and not the combination of 4 in 1 location.
12. Petitioners contend detailed systematic examinations of fuel bundle materials have not been conducted specifically to define storage behavior of multiple storage facilities.
13. Petitioners contend that this increased storage capacity at Salem I plus 3 additional storage facilities poses the same problem previously discussed - that of no combination considerations (4 in 1 location - not duplicated anywhere else in the world.
14. Petitioners contend that Salem I storage facility structure is not constructed to withstand large aircraft accidents (i.e. 747) parts coming in contact with racks, assemblies and/or rods and leaking of aviation fuel causing fire inside structure.

Petition the U.S. NRC for Leave to Intervene to Hold a Public Hearing in the County of Salem, New Jersey, City of Salem

15. Petitioners contend that the applicant has not adequately assessed the consequences of spent fuel rods reaching criticality.
16. Petitioners contend that the existance of 4 reactors and 4 spent fuel facilities in addition to the requested application increases risks to the population and property in the vacinity. Especially in light of the fact that there is presently no workable evacuation plan for residents in the surrounding areas (including Delaware).
17. Petitioners contend that since citizens are unable to obtain insurance coverage for nuclear accidents and/or occurrences at the present time, this facility (proposed addition) as well as previously licensed facilities continue to pose unfair threats to our health and safety.
18. Petitioners contend the applicant has failed to address the consequence of loss of coolant, failure of the Emergency core cooling system and utilization of water from the spent fuel pool in the water injection system as an alternate backup source of water in case of accident or occurrence. What is the adyerse effect on spent fuel rods when water is taken off them?
19. Approval of the subject application will not force those responsible to develop acceptable disposal nor will it force an admission there is no solution. Reprocessing is not an acceptable solution to the disposal of this high level waste.
20. Petitioners contend the applicant has not considered the consequences of the spent fuel rods coming in contact with one another in subject facility.

The above mentioned contentions, individually or collectively are sufficient cause for the NRC to rule against the applicant.

Eleanor G. Coleman

Eleanor G. Coleman

Alfred C. Coleman, Jr.

Alfred C. Coleman Jr.

3-11-78

STATE OF New Jersey
COUNTY OF Salem
CITY OF Pennsville

We, Eleanor G. Coleman and Alfred C. Coleman, Jr.
do swear that the statements in this Petition for
intervention are true, to the best of our knowledge,
information and belief.

Alfred C. Coleman Jr.

Alfred C. Coleman, Jr.

Eleanor G. Coleman

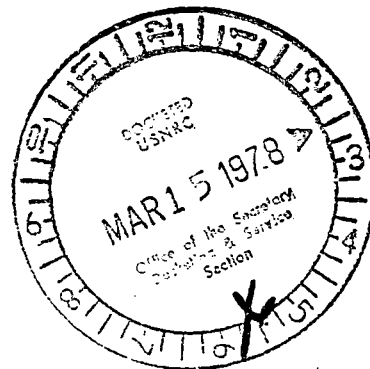
Eleanor G. Coleman

35 th Drive
Pennsville, N. J. 08070

Sworn and subscribed to
before me this 11th day
of March, 1978.

Russell H. Ahlquist

RUSSELL H. AHLQUIST
NOTARY PUBLIC OF NEW JERSEY
Commission Expires September 6, 1982



3/9/78

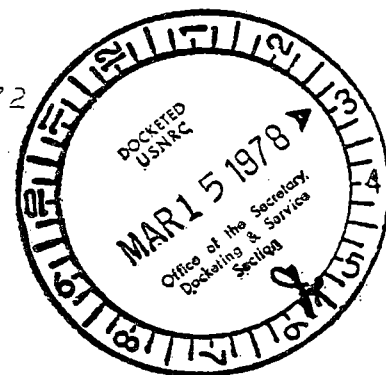
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD PANEL

In the Matter of

PUBLIC SERVICE ELECTRIC &
GAS COMPANY, et al.

Docket No. 50-272

(Salem Nuclear Generating
Station, Unit No. 1)



REQUEST FOR A FORMAL
ADJUDICATORY HEARING
OR

PETITION FOR LEAVE TO INTERVENE

Pursuant to the notice in the Federal Register Vol 43, No. 27, Wednesday, February 8, 1978, which refers to the request of Public Service Electric and Gas to amend the provisions in the Technical Specifications to permit increase in fuel storage capacity from 264 to 1,170 fuel assemblies in the spent fuel pool of the Salem Nuclear Generating Station Unit No. 1.

The Sun People-Alternate Energy Advocates have long demonstrated an interest in nuclear power and have done much to fairly evaluate energy issues in New Jersey and throughout the United States (see attachments).

The Sun People believe their interest may be affected by the results of the hearings, for we have continually warned of the results of storage of nuclear wastes without long range plans.

The Sun People contend that our health may be impaired by low level radiation from storage at the site. Expansion of that storage only increases this risk. The fact that many of us do not live in the immediate vicinity is of little note and cannot be used to negate our interest. Our children and their families

have been lured to the site by "educational" advertizements for the Second Sun.

The Sun People further contend that South Jersey is ill-prepared to store nuclear waste on this site or anywhere nearby. We have no salt mines. Sabotage near the metropolitan areas might be easy. Evacuation plans for the plant and surrounding area have been shown to be confused.

We further contend just as we did for Hope Creek I and II (on appeal of NJCAFRA permit Sept. 1975) that no clear workable plans for handling, storage or reprocessing of radio active wastes exists. To proceed to grant any permits before this unresolved problem has been fully addressed is incomprehensible. At about that time an official of PSE & G stated "This is a government controlled problem." It certainly is! We called upon state government at that time to control the problem by not permitting it to be created until a solution can be devised. The permit was granted anyhow. PSE & G then stated (January 1976) "applicant further stresses that the hazards considerations are not within the jurisdiction of the Department of Environmental Protection of the State of New Jersey or of the Coastal Area Review Board pursuant to the doctrine of Federal Preemption."

In other words, they knocked the ball back to the federal regulatory agency (NRC). So here we are again. The problem that should have been solved before the plant was ever licensed has come back to "get" us all. We hope to examine the foregoing problems with you.

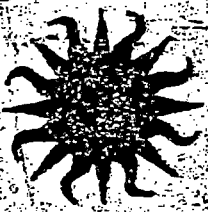
Respectfully Submitted,

Ruth Fisher
Ruth Fisher
Trustee

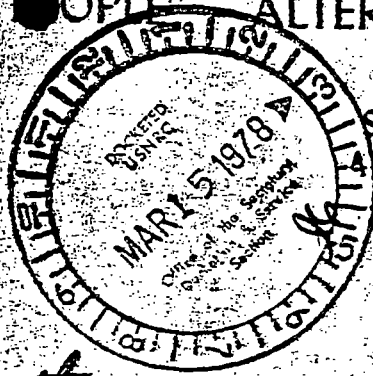
R. A. Fisher

*Sworn & Subscribed
taken before me
this 9th day of March
1978.
Dorcas J. Nagle*

Bibliography
NRDC
Critical Mass, Washington, D.C.



"THE SUN PEOPLE" ALTERNATE ENERGY ADVOCATES



SOUTH DENNIS, NEW JERSEY 08245

March 8, 1978

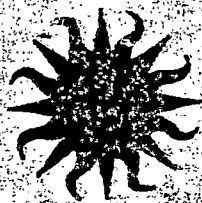
Dear Mr. Smith:

Many thanks for your prompt response.

Now, I would ask that you accept the enclosed intervention and amend it in form if necessary to make it acceptable to the NRC rules for intervention.

For us, it's a bit like playing tennis with the rules for chess.

We have continually called attention to this problem. At one of the hearings on Salem I or II or Hope Creek I or II we cited the immense problems for the ordinary citizen or citizen's group in examining the problems associated with protecting the public interest. Just as PSE&G is given planning sessions (pre-application workshops) in advance we felt and still do that the AEC and now the NRC should have conducted workshops for those who oppose continued advancement of the nuclear industry.



"THE SUN PEOPLE" - ALTERNATE ENERGY ADVOCATES

SOUTH DENNIS, NEW JERSEY 08245

As I recall, the hearing record was immediately slammed shut on this discussion, so it won't be reflected in the record. The commissioners present may recall it, however.

We have asked, apparently in vain, that our congressman - URM. Hughes represent us at this time and we still hold out hope that he may join us as our representative at these intervention proceedings. Therefore, please excuse any minor infractings the rules.

Thanks in advance for
your help.

Ruth Fisher
Trustee.



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

[Docket No. 50-272]

PUBLIC SERVICE ELECTRIC & GAS COMPANY

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD
TO RULE ON PETITIONS

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register (37 F.R. 28710) and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the following proceeding:

PUBLIC SERVICE ELECTRIC & GAS COMPANY

(Salem Nuclear Generating Station, Unit 1)
Proposed Issuance of Amendment to Facility
Operating License
No. DPR-70

This action is in reference to a notice published by the Commission on February 8, 1978, in the Federal Register (43 F.R. 5443) entitled "Proposed Issuance of Amendment to Facility Operating License".

The Chairman of this Board and his address is as follows:

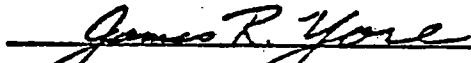
Gary L. Milhollin, Esq.
1815 Jefferson Street
Madison, Wisconsin 53711

The other members of the Board and their addresses
are as follows:

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

Dr. James C. Lamb, III
313 Woodhaven Road
Chapel Hill, N.C. 27514

ATOMIC SAFETY AND LICENSING
BOARD PANEL


James R. Yore, Chairman

Dated at Bethesda, Maryland
this 16th day of March 1978.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

PUBLIC SERVICE ELECTRIC AND)
GAS COMPANY)

Docket No.(s) 50-272

(Salem Nuclear Generating Station,))
Unit 1))
)

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

17th day of March 1978.

Reggie T. Downing
Office of the Secretary of the Commission

- *1- Petition of State of N.J. for leave to Intervene dtd 3/7/78
- 2- Petition for leave to Intervene - Township of Lower Alloways Creek dtd 3/9/78
- 3- Request for Extension to file petition - N.J. Public Advocates dtd 3/10/78
- 4- Ltr the Coleman's dtd 3/11/78 re petition to intervene
- 5- Petition for leave to Intervene - R. Fisher dtd 3/9/78
- 6- Establishment of ASLB to rule on Petitions dtd 3/16/78

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
PUBLIC SERVICE ELECTRIC AND GAS) Docket No.(s) 50-272
COMPANY)
)
(Salem Nuclear Generating Station,)
Unit 1))
)

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