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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

NRC PUBLIC DOCUMENT ROOM

In the Matter of:

SACRAMENTO MUNICIPAL UTILITY DISTRICT )  
Rancho Seco Nuclear Generating Station )

Docket No. 50-312

NOTICE OF APPEARANCE  
AND CONTENTIONS

The law firm of REED, SAMUEL & REMY will appear in the prehearing conference on behalf of Friends of the Earth, the Environmental Council of Sacramento, and the Original SMUD Ratepayers Association.

CONTENTIONS

1. In light of unresolved safety questions the May 7, 1979 shut down order is insufficient to provide adequate assurances of public health and safety. Operations of the Rancho Seco Nuclear Facility must be suspended by order of the Commission until the applicant SMUD has submitted, and the Commission has considered sufficient information to determine whether there are reasonable assurances of adequate protection for the public health and safety. The record before the Atomic Safety and Licensing Board is insufficient to support such reasonable assurances of public health and safety because it fails to disclose:

(a) evaluation or comment on the acceptability of 27 feedwater transients over the past year in nine Babcock and Wilcox (B & W) reactors, a frequency which is 50 percent greater than the corresponding rate for other pressurized reactors;

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(b) adequate evaluation, consideration and adoption of safety measures identified in NUREG-0560 to further increase the safety margins in B & W plants and their specific applicability to the Rancho Seco facility;

(c) a recognition that serious accidents will occur at nuclear facilities no matter how diligent regulatory authorities and power plant operators are;

(d) evidence of evaluation, consideration and adoption of studies, reports and analysis received by the Commission between the shutdown order of May 7, 1979 and the reopening of the Rancho Seco facility;

(e) evidence that emergency response planning around the Rancho Seco facility, which in its present state has clearly been shown to be insufficient, has been or will be sufficiently upgraded or modified;

(f) express finding by the Commission that the Rancho Seco facility is safe to operate;

(g) express finding by the Commission that the terms and conditions of the shutdown order were sufficient to insure safe operation of the Rancho Seco facility;

(h) safety risk evaluation of long-term modifications and reasonable time-table for implementation by applicant SMUD;

(i) evidence of safety risk assessment of the short-term modifications required of applicant SMUD by the shutdown order;

(j) evidence of reliability assessment of the short-term modifications required of applicant SMUD by the shutdown order;

(k) analysis of whether the management competence and control are adequate at the Rancho Seco facility.

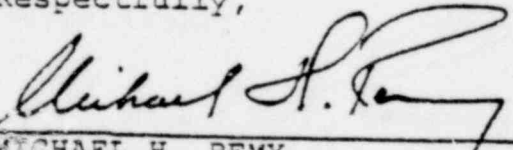
2. The Rancho Seco Nuclear facility should be ordered to suspend operations until the NRC has developed adequate and systematic procedures for implementing needed remedial actions or modifications identified in licensee event or accident reports for operating nuclear facilities.

3. The Three Mile Island accident has brought to light sufficient evidence of design failure, equipment malfunction, regulatory problems and human error to require that the NRC initiate relicensing of the Rancho Seco Nuclear facility to assure incorporation and implementation of all necessary health and safety measures and provide adequate consideration of the environmental and economic implications of needed short-term and long-term modifications. Operation of the Rancho Seco facility should be suspended until the relicensing process called for has been completed to provide reasonable assurance of public health and safety.

CONCLUSION

We urge that operation of the Rancho Seco Nuclear facility be suspended until the concerns raised by these contentions have been addressed and resolved.

Respectfully,

  
MICHAEL H. REMY  
REED, SAMUEL, & REMY  
717 K Street, Suite 405  
Sacramento, CA 95814

COUNSEL FOR PETITIONERS

DATED: July 20, 1979

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION



In the Matter of

SACRAMENTO MUNICIPAL UTILITY )  
DISTRICT )  
Rancho Seco Nuclear Generating )  
Station )

Docket No. 50-312

CERTIFICATE OF SERVICE

I hereby certify that copies of "NOTICE OF APPEARANCE AND CONTENTIONS" in the above captioned proceeding have been served on the following by deposit in the United States mail, first class, this 20th day of July, 1979:

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Sacramento, CA 95813

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U.S. Nuclear Regulator Commission  
Washington, D.C. 20555

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ATOMIC SAFETY AND LICENSING  
BOARD PANEL  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

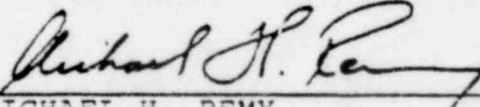
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MS. JOAN REISS  
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California Legislative Office  
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Washington, D.C. 20555

DOCKETING AND SERVICE SECTION.  
Office of the Secretary  
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MICHAEL H. REMY  
Counsel for Petitioners

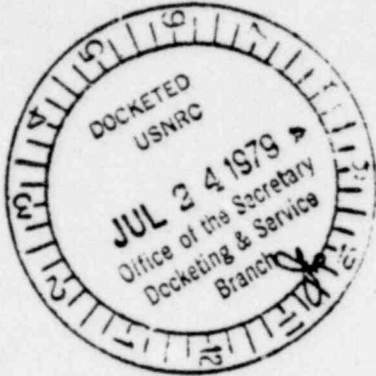
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# FRIENDS OF THE EARTH

CALIFORNIA LEGISLATIVE OFFICE

717 K STREET, #208, SACRAMENTO, CALIFORNIA 95814

(916) 446-3109



Affidavit of

MARK A. VANDERVELDEN

representing Affiant

and FRIENDS OF THE EARTH and

its Members

I, Mark Vandervelden, declare under penalty of perjury as follows:

1. I reside at 1314 19th Street, Sacramento, California.

I am the Energy Policy Coordinator in the California Legislative Office of Friends of the Earth, Inc. located at 717 K Street, Sacramento, California

2. My personal residence is within 25 miles of the Rancho Seco Nuclear Generating Station. I am therefore personally interested in the health and safety aspects of the plant. Safety problems unaddressed in the May 7 order will have a direct affect on my family and me.

3. Friends of the Earth, Inc. is a non-profit corporation with principle business in Sacramento County.

4. Friends of the Earth, Inc. engages in public interest research and advocacy. It has over 300 members within the zone of interest and thousands more near the zone of interest.

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5. Friends of the Earth, Inc. principle concern of relevance here is with the potential health, safety and environmental risks associated with generic and other problems not adequately considered in any previous hearing, or the May 7 Order.

6. Friends of the Earth, Inc., is concerned that these unexamined problems and risks expose it's members and the general public to hazards which can seriously affect their health, safety, and economic well-being.

I declare under penalty of perjury and the laws of the United States that the foregoing is true and correct.

DATED: JUNE 20, 1979



MARK VANDERVELDEN  
Energy Policy Coordinator  
Friends of the Earth  
717 K Street, Suite #208  
Sacramento, CA 95814

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**ENVIRONMENTAL COUNCIL OF SACRAMENTO**  
909 12th Street  
Sacramento, California 95814



Affidavit of  
JOAN REISS  
representing Affiant  
and ECOS

I, Joan Reiss, declare under penalty of perjury as follows:

1. I reside at 2100 Rockwood Drive, California. I am a member of the Environmental Council of Sacramento (ECOS), an interested party in this proceeding.
2. My personal residence is within twenty miles of the Rancho Seco Nuclear Generating Plant. I am therefore personally interested in the safety aspects of the plant. Any safety problem will have a direct affect on my family and me.
3. ECOS as an organization is also vitally interested in this issue. I am the Co-Chairperson of the ECOS Energy Committee. Along with that organization, I will participate in all hearings and vigorously prosecute our point of view.
4. ECOS is a proper party to this proceeding. All membership groups have offices within the County of Sacramento and all have individual members who reside within this County.

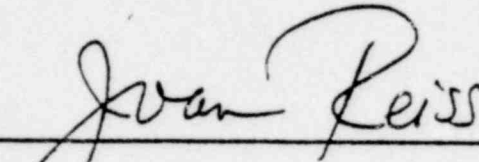
*Member Organizations*

Audubon Society  
Bikeways Action Committee  
California Park & Recreation Society, Dist. 11  
Ecology Information Center  
League of Women Voters  
Lung Association  
Planned Parenthood

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Sacramento Medical Auxiliary  
American River College Conservation Club  
Sacramento County Farm Bureau  
Save the American River Association  
Sierra Club  
Zero Population Growth

I declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

Dated: July 15, 1979

  
\_\_\_\_\_  
Joan Reiss, Co-chairperson  
ECOS Energy Committee

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AFFIDAVIT OF  
PATRICIA MACDONALD  
Representing Affiant and the  
Original SMUD Ratepayers

I, PATRICIA MACDONALD, declare under penalty of perjury  
as follows:

1. I reside at 2749 10th Avenue, Sacramento, California. I am Co-Chairperson of the Original SMUD Ratepayers, an interested party in this proceeding.
2. My personal residence is within 20 miles of the Rancho Seco Generating Station. I am therefore personally interested in the health and safety aspects of the Plant. Safety problems unaddressed in the May 7 Order will have a direct affect on my family and me.
3. The Original SMUD Ratepayers founded in 1974 is an unincorporated organization which has participated in numerous SMUD Board proceedings related directly to the safe operation of the Rancho Seco facility. The Original SMUD Ratepayers principle concern of relevance here is with the potential health, safety and environmental risks associated with general<sup>1c</sup> and other problems not adequately considered in any previous hearing, on the May 7th Order.

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4. The Original SMUD Ratepayers represents numerous individuals living within the zone of interest.

5. The Original SMUD Ratepayers is concerned that unexamined problems and risks expose its members and the general public to hazards which can seriously affect their health, safety and economic well-being.

I declare under penalty of perjury and the laws of the United States, that the foregoing is true and correct.

DATED: July 20, 1979

*Patricia Macdonald*

PATRICIA MACDONALD  
Co-Chairman  
Original SMUD Ratepayers  
2749 10th Street  
Sacramento, California